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Senate Bill 306 (Substitute S-1)
Sponsor: Senator Roger Victory
Committee: Elections

Date Completed: 9-1-21

CONTENT

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

- **Require the Secretary of State (SOS), at least 60 days before each general November election, to prepare and submit a report to the Legislature concerning county, city, and township clerks who were not current with training or instruction required under the Law.**
- **Require the SOS to post the submitted report on the Department of State's website.**
- **Require the SOS, at least 90 days before each general November election, to send a notice by mail or email to each county, city, or township clerk who was not current with his or election education on training.**
- **Prohibit the SOS from including the name of a clerk in the report submitted to the Legislature if the clerk provided satisfactory evidence to the Director of Elections within 30 days after the date of the notice that he or she was current with her or her training.**
- **Require the SOS to immediately remove the name of a clerk from the report posted on the Department's website if a county, city, or township clerk provided satisfactory evidence to the Director of Election that he or she was current with his or her training.**

Under the bill, at least 60 days before each general November election, the SOS would have to prepare and submit a report to the Legislature that included the names of each county, city, and township clerk who was not current with any of the following:

- Initial course of instruction within six months before the date of the election, as required under Section 31(1)(l).
- Training related to conducting elections under the Law, instruction on the uniformed voting system, and team training, as required under Section 33(1) and (2).
- Continuing election education training as required under Section 33(4).

The report also would have to be posted on the Department of State's website.

(Section 31(1)(l) requires the Secretary of State to establish and require attendance by all new appointed or elected election officials at an initial course of instruction within six months before the date of the election. Section 33(1) and (2) requires the Director of Elections to conduct training schools throughout Michigan before the general November election, and before other elections as the Director considers advisable, for county clerks and their representatives with respect to the conducting of elections in accordance with the election

laws. This training must include instruction on the uniform voting system. If a county clerk fails to conduct in his or her county a training school for election boards within the county, the Director of Elections must conduct the training school, with the cost of the training school to be charged as an obligation of the county. The Director of Elections also must train all county, city, and township clerks who are involved in the training of precinct inspectors. The training must include team training and monitoring of their performance as trainers.)

(Section 33(4) requires the Director of Election to conduct continuing election education training courses for county, city, township, and village clerks to attend. Each county, city, township, and village clerk must attend and complete continuing election education training at least once every two years to maintain accreditation as a clerk. The Department of State is responsible for providing continuing election education training to the clerks at no charge to the clerks, counties, cities, townships, or villages.)

No less than 90 days before each general November election, the SOS would have to send a notice by mail or email to each county, city, and township clerk who was not current with his or her election education training. If a clerk who was sent a notice under the bill provided satisfactory evidence to the Director of Elections within 30 days after the date of the notice that he or she was current with his or her election education training, the SOS could not include the name of that clerk in the report submitted to the Legislature and posted on the Department website.

If a county, city, or township clerk provided satisfactory evidence to the Director of Election that he or she was current with his or her training, the SOS would have to immediately remove the name of that clerk from the report posted on the Department's website that listed the county, city, and township clerks who were not current with the required election education training.

Proposed MCL 168.33a

Legislative Analyst: Dana Adams

FISCAL IMPACT

The Department of State could incur costs for the proposed reporting of city, county, or township clerks who were not in compliance as prescribed. Any additional costs likely would be absorbed within the Department's annual appropriations; however, if the Department needed to hire additional staff to comply with the bill's requirements, the average total cost for salary, benefits, and retirement for a State civil servant is an estimated \$121,600 Gross, \$65,900 General Fund/General Purpose. These costs may vary widely between local governments.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.