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Senate Bill 308 (Substitute S-1)
Sponsor: Senator Kevin Daley
Committee: Elections

Date Completed: 10-20-21

CONTENT

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

- **Require the Secretary of State (SOS) to establish and require signature verification training for all county, city, and township clerks that complied with any rules promulgated by the SOS for an objective signature verification process.**
- **Require the SOS to consult with appropriate handwriting experts when promulgating rules to establish a signature verification process.**
- **Require the objective handwriting verification process to be focused solely on the objective criteria clerks would need to determine the genuineness of a signature.**
- **Prohibit the objective signature verification process from including a presumption regarding the validity of signatures or certain instructions or guidance with respect to signature verification.**

The bill would require the SOS to establish and require signature verification training for all county, city, and township clerks that complied with any rules promulgated by the SOS for an objective signature verification process.

Under the Administrative Procedures Act, the SOS would have to promulgate rules that established an objective signature verification process that would have to be used in training all county, city, and township clerks. In promulgating rules to establish an objective signature verification process, the SOS would have to consult with appropriate handwriting experts. The objective signature verification process would have to be focused solely on the objective criteria clerks would need to determine the genuineness of a signature submitted on an absentee ballot application or absentee ballot return envelope based on whether the submitted signature sufficiently agreed with the signature for that individual on the master card or the digitized signature for that individual contained in the qualified voter file.

The objective signature verification process could not include the following:

- A presumption regarding the validity of any signature that was to be verified.
- Instructions or guidance to accept a signature as valid if the signature had any redeeming qualities.
- Instructions or guidance to consider hypothetical or circumstantial factors that could affect a signature in the absence of supporting information that was provided through contact with the voter or by other factual grounds.

MCL 168.31

Legislative Analyst: Dana Adams

FISCAL IMPACT

There could be additional costs for the Department of State to promulgate rules to establish an objective signature verification process; however, those costs likely would be minimal and would be absorbed within the Department's annual appropriations. This bill also would require the Department to establish a signature verification training and require all county, city, and township clerks to be trained in accordance with the promulgated rules. The Department likely would incur costs beyond current appropriations to develop the required signature verification trainings and training materials, along with the costs associated with providing the required trainings. The costs are indeterminate and would depend on the number of trainings ultimately required, the material costs for those trainings, as well as travel costs for staff associated with providing those trainings.

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.