

**SUBSTITUTE FOR
SENATE BILL NO. 292**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 31 and 730 (MCL 168.31 and 168.730), section
31 as amended by 2012 PA 271 and section 730 as amended by 1995 PA
261, and by adding section 730a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) The secretary of state shall do all of the
2 following:

3 (a) Subject to subsection (2), issue instructions and
4 promulgate rules pursuant to the administrative procedures act of
5 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of
6 elections and registrations in accordance with the laws of this
7 state.



1 (b) Advise and direct local election officials as to the
2 proper methods of conducting elections.

3 (c) Publish and furnish for the use in each election precinct
4 before each state primary and election a manual of instructions
5 that includes specific instructions on assisting voters in casting
6 their ballots, directions on the location of voting stations in
7 polling places, procedures and forms for processing challenges, and
8 procedures on prohibiting campaigning in the polling places as
9 prescribed in this act.

10 (d) Publish indexed pamphlet copies of the registration,
11 primary, and election laws and furnish to the various county, city,
12 township, and village clerks a sufficient number of copies for
13 their own use and to enable them to include 1 copy with the
14 election supplies furnished each precinct board of election
15 inspectors under their respective jurisdictions. The secretary of
16 state may furnish single copies of the publications to
17 organizations or individuals who request the same for purposes of
18 instruction or public reference.

19 (e) Prescribe and require uniform forms, notices, and supplies
20 the secretary of state considers advisable for use in the conduct
21 of elections and registrations.

22 (f) Prepare the form of ballot for any proposed amendment to
23 the constitution or proposal under the initiative or referendum
24 provision of the constitution to be submitted to the voters of this
25 state.

26 (g) Require reports from the local election officials the
27 secretary of state considers necessary.

28 (h) Investigate, or cause to be investigated by local
29 authorities, the administration of election laws, and report



1 violations of the election laws and regulations to the attorney
2 general or prosecuting attorney, or both, for prosecution.

3 (i) Publish in the legislative manual the vote for governor
4 and secretary of state by townships and wards and the vote for
5 members of the state legislature cast at the preceding November
6 election, which ~~shall~~**must** be returned to the secretary of state by
7 the county clerks on or before the first day of December following
8 the election. All clerks shall furnish to the secretary of state,
9 promptly and without compensation, any further information
10 requested of ~~them~~**the clerks** to be used in the compilation of the
11 legislative manual.

12 (j) Establish a curriculum for comprehensive training and
13 accreditation of all county, city, township, and village officials
14 who are responsible for conducting elections.

15 (k) Establish a continuing election education program for all
16 county, city, township, and village clerks.

17 (l) Establish and require attendance by all new appointed or
18 elected election officials at an initial course of instruction
19 within 6 months before the date of the election.

20 (m) Establish a comprehensive training curriculum for all
21 precinct inspectors.

22 (n) Create an election day dispute resolution team that has
23 regional representatives of the department of state, which team
24 ~~shall~~**must** appear on site, if necessary.

25 (o) **Establish a comprehensive training curriculum for each**
26 **political party, incorporated organization, or organized committee**
27 **of interested citizens that seeks to designate election challengers**
28 **at an election, regarding the powers, rights, and duties of**
29 **election challengers.**



1 (2) Pursuant to the administrative procedures act of 1969,
 2 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall
 3 promulgate rules establishing uniform standards for state and local
 4 nominating, recall, and ballot question petition signatures. The
 5 standards for petition signatures may include, but need not be
 6 limited to, standards for all of the following:

7 (a) Determining the validity of registration of a circulator
 8 or individual signing a petition.

9 (b) Determining the genuineness of the signature of a
 10 circulator or individual signing a petition, including digitized
 11 signatures.

12 (c) Proper designation of the place of registration of a
 13 circulator or individual signing a petition.

14 Sec. 730. (1) At an election, a political party or an
 15 incorporated organization or organized committee of citizens
 16 interested in the adoption or defeat of a ballot question being
 17 voted for or upon at the election, or interested in preserving the
 18 purity of elections and in guarding against the abuse of the
 19 elective franchise, may designate challengers as provided in this
 20 act. Except as otherwise provided in this act, a political party,
 21 incorporated organization, or organized committee of interested
 22 citizens may designate not more than 2 challengers to serve in a
 23 precinct at any 1 time. A political party, incorporated
 24 organization, or organized committee of interested citizens may
 25 designate not more than 1 challenger to serve at each counting
 26 board.

27 (2) A challenger ~~shall~~**must** be a registered elector of this
 28 state. **A challenger must not serve as a challenger at any election**
 29 **unless he or she has within the last 2 years attended election**



1 challenger training as described in section 730a and submitted a
 2 signed affidavit attesting to having attended the election
 3 challenger training to the political party, incorporated
 4 organization, or organized committee of interested citizens that
 5 conducted the election challenger training. Except as otherwise
 6 provided in this section, a candidate for nomination or election to
 7 an office shall not serve as a challenger at the election in which
 8 he or she is a candidate. A candidate for the office of delegate to
 9 a county convention may serve as a challenger in a precinct other
 10 than the ~~1~~one in which he or she is a candidate. ~~A person~~**An**
 11 **individual** who is appointed as an election inspector at an election
 12 shall not act as a challenger at any time during the election day.

13 (3) A challenger may be designated to serve in more than 1
 14 precinct. The political party, incorporated organization, or
 15 organized committee of interested citizens shall indicate which
 16 precincts the challenger will serve when designating challengers
 17 under subsection (1). If more than 1 challenger of a political
 18 party, incorporated organization, or organized committee of
 19 interested citizens is serving in a precinct at any 1 time, only 1
 20 of the challengers has the authority to initiate a challenge at any
 21 given time. The challengers ~~shall~~**must** indicate to the board of
 22 election inspectors which of the 2 ~~will have~~**challengers has** this
 23 authority. The challengers may change this authority and ~~shall~~**must**
 24 indicate the change to the board of election inspectors.

25 **Sec. 730a. (1) If a political party, incorporated**
 26 **organization, or organized committee of interested citizens seeks**
 27 **to designate challengers at an election, that political party,**
 28 **incorporated organization, or organized committee of interested**
 29 **citizens must provide election challenger training for those**



1 individuals seeking to be election challengers for that political
2 party, incorporated organization, or organized committee of
3 interested citizens before those individuals serve as election
4 challengers. The election challenger training for the individuals
5 seeking to be election challengers must include the comprehensive
6 training curriculum established by the secretary of state under
7 section 31(1)(o) regarding the powers, rights, and duties of
8 election challengers.

9 (2) Upon completion of the election challenger training under
10 subsection (1), the individual seeking to be an election challenger
11 must sign and submit to the political party, incorporated
12 organization, or organized committee of interested citizens that
13 conducted the election challenger training an affidavit attesting
14 that the individual attended the election challenger training. The
15 election challenger training for an individual is valid for 2 years
16 from the date the signed affidavit is submitted to and filed with
17 the political party, incorporated organization, or organized
18 committee of interested citizens that conducted the election
19 challenger training.

20 (3) A political party, incorporated organization, or organized
21 committee of interested citizens must retain a signed affidavit as
22 described in subsection (2) for not less than 2 years.

