

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

**Introduced by Senators Cropsey, Hammerstrom, Bishop, Brown, Kuipers, Jelinek, McManus, Birkholz,
Patterson, Sanborn, Gilbert, Toy, Cassis, Garcia, Stamas, George, Goschka, Johnson and Allen**

ENROLLED SENATE BILL No. 976

AN ACT to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

The People of the State of Michigan enact:

Sec. 476. (1) The state director of elections shall canvass the petitions to ascertain if the petitions have been signed by the requisite number of qualified and registered electors. The qualified voter file shall be used to determine the validity of petition signatures by verifying the registration of signers and the genuineness of signatures on petitions when the qualified voter file contains digitized signatures. If the qualified voter file indicates that, on the date the elector signed the petition, the elector was not registered to vote, there is a rebuttable presumption that the signature is invalid. If the qualified voter file indicates that, on the date the elector signed the petition, the elector was not registered to vote in the city or township designated on the petition, there is a rebuttable presumption that the signature is invalid. If the state director of elections is unable to verify the genuineness of a signature on a petition using the digitized signature contained in the qualified voter file, the state director of elections may cause any doubtful signatures to be checked against the registration records by the clerk of any political subdivision in which the petitions were circulated, to determine the authenticity of the signatures or to verify the registrations. Upon request, the clerk of any political subdivision shall cooperate fully with the state director of elections in determining the validity of doubtful signatures by rechecking the signature against registration records in an expeditious and proper manner.

(2) The state director of elections may hold hearings upon any complaints filed or for any purpose considered necessary by the state director of elections to conduct investigations of the petitions. To conduct a hearing, the state director of elections, with the approval of the state board of canvassers, may issue subpoenas and administer oaths. The state director of elections may also adjourn from time to time awaiting receipt of returns from investigations that are being made or for other necessary purposes, but shall complete the canvass at least 2 months before the election at which the proposal is to be submitted.

(3) At least 2 business days before the state director of elections makes a final determination on challenges to and sufficiency of a petition, the bureau of elections shall make public its staff report concerning disposition of challenges filed against the petition. Beginning with the receipt of any document from local election officials pursuant to subsection (1), the state director of elections shall make that document available to petitioners and challengers on a daily basis.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 973.
- (b) Senate Bill No. 974.
- (c) Senate Bill No. 975.
- (d) House Bill No. 5648.
- (e) House Bill No. 5649.
- (f) Senate Bill No. 5650.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor