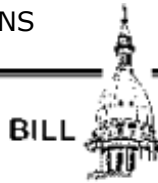




Senate Fiscal Agency  
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## BILL ANALYSIS

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Senate Bill 1087 (as introduced 2-12-08)  
Sponsor: Senator Mark C. Jansen  
Committee: Campaign and Election Oversight

Date Completed: 2-13-08

**CONTENT**

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

- Require the Secretary of State to certify and distribute a proposed constitutional amendment or other special question at least 60 days, rather than 49 days, before an election.**
- Delete a provision that allows the circulator of a petition that proposes a constitutional amendment, initiation of legislation, or referendum of legislation to be qualified as a registered elector of this State only at the time of circulation and execution of the certificate of circulator.**
- Repeal sections that pertain to the certification of ballots regarding proposed constitutional amendments and ballot proposals by the Secretary of State.**

Currently, whenever a proposed constitutional amendment or other special question is to be submitted to the electors of the State for a popular vote, the Secretary of State must, at least 49 days before the election, certify the question to the clerk of each county in the State, together with the form in which the constitutional amendment or other special question is to be submitted. The Secretary also must give the county clerks two copies of each amendment or question and two copies of each statement for each voting precinct in their respective counties. Each county clerk must furnish the copies of the statements to the township and city clerks in his or her county at the time other supplies for the election are furnished.

The bill would require the Secretary of State to certify a proposed constitutional amendment or other special question within 60 days before the election in which the amendment or special question was to be submitted to the electors.

Under the Law, at the time of circulation, the circulator of a petition must be registered in the city or township indicated in the certificate of circulator on the petition. The circulator of a petition under Section 482, however, must be qualified to be a registered elector of this State only at the time of circulation and at the time of executing the certificate of circulator. (Section 482 describes requirements for measures submitting proposed constitutional amendments, initiation of legislation, or referendum of legislation.)

The bill would delete the provision regarding the circulator of a petition under Section 482.

(The Law requires the circulator of a petition to sign and date a document, certificate of circulator, that asserts he or she is qualified to circulate the petition and that each signature on it was signed in his or her presence; and that, to his or her knowledge, each signature is

the genuine signature of the person purporting to sign the petition, the person signing it was at the time of signing a qualified registered elector of the city or township listed in the heading of the petition, and the elector was qualified to sign the petition.)

### Repealed Sections

The bill would repeal Sections 649 and 707 of the Election Law.

Under Section 649, whenever a proposed constitutional amendment or other special question is to be submitted to the electors of the State for popular vote, the Secretary of State must, within 49 days before the election, certify the question to the clerk of each county and prescribe the form in which the amendment or question must be submitted.

Section 707 requires the Secretary of State to certify to county clerks the form of ballots to be prepared in connection with a proposed constitutional amendment or other proposition to be submitted to the electors of this State for popular vote, within 49 days before the date of the election. The section also describes required content of the ballots.

Under both sections, any city ordinance that has been or is adopted by the common council in a city of over 500,000 and that is subject to referendum must be submitted to the people of that city at the next general election unless submitted to a special election by action of the common council.

MCL 168.480 & 168.544c

Legislative Analyst: Craig Laurie

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

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.