

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Senators Johnson, LaSata, Horn, Theis, Stamas, Zorn, Barrett, Victory, Daley,
Outman and VanderWall

ENROLLED SENATE BILL No. 280

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 sections 471 and 477 (MCL 168.471 and 168.477), as amended by 2018 PA 608.

The People of the State of Michigan enact:

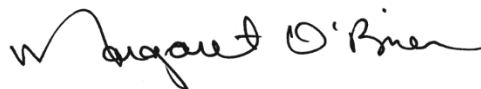
Sec. 471. Petitions under section 2 of article XII of the state constitution of 1963 proposing an amendment to the constitution must be filed with the secretary of state at least 120 days before the election at which the proposed amendment is to be voted upon. Initiative petitions under section 9 of article II of the state constitution of 1963 must be filed with the secretary of state at least 160 days before the election at which the proposed law would appear on the ballot if the legislature rejects or fails to enact the proposed law. Referendum petitions under section 9 of article II of the state constitution of 1963 must be filed with the secretary of state not more than 90 days following the final adjournment of the legislative session at which the law that is the subject of the referendum was enacted. Not more than 15% of the signatures to be used to determine the validity of a petition described in this section shall be of registered electors from any 1 congressional district. Any signature submitted on a petition above the limit described in this section must not be counted. When filing a petition described in this section with the secretary of state, a person must sort the petition so that the petition signatures are categorized by congressional district. In addition, when filing a petition described in this section with the secretary of state, the person who files the petition must state in writing a good-faith estimate of the number of petition signatures from each congressional district.

Sec. 477. (1) Except as otherwise provided in this subsection, the board of state canvassers shall make an official declaration of the sufficiency or insufficiency of a petition under this chapter at least 2 months before the election at which the proposal is to be submitted. Subject to subsection (3), the board of state canvassers shall make an official declaration of the sufficiency or insufficiency of an initiative petition no later than 100 days before the election at which the proposal is to be submitted. The board of state canvassers may not count toward the

sufficiency of a petition described in this section any valid signature of a registered elector from a congressional district submitted on that petition that is above the 15% limit described in section 471. If the board of state canvassers declares that the petition is sufficient, the secretary of state shall send copies of the statement of purpose of the proposal as approved by the board of state canvassers to the several daily and weekly newspapers published in this state, with the request that the newspapers give as wide publicity as possible to the proposed amendment or other question. Publication of any matter by any newspaper under this section must be without expense or cost to this state.

(2) For the purposes of the second paragraph of section 9 of article II of the state constitution of 1963, a law that is the subject of the referendum continues to be effective until the referendum is properly invoked, which occurs when the board of state canvassers makes its official declaration of the sufficiency of the referendum petition. The board of state canvassers shall complete the canvass of a referendum petition within 60 days after the petition is filed with the secretary of state, except that a 15-day extension may be granted by the secretary of state if necessary to complete the canvass.

(3) Except as otherwise provided in this subsection, the board of state canvassers shall complete the canvass of an initiative petition no later than 100 days after the initiative petition is filed with the secretary of state. If the board of state canvassers declares that an initiative petition is sufficient, the initiative petition must be immediately forwarded to the legislature for consideration. If an initiative petition is filed with the secretary of state at least 160 days before a general November election, the board of state canvassers must complete the canvass of the initiative petition no later than 100 days before that general November election.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor