



Senate Fiscal Agency  
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BILL ANALYSIS

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Senate Bill 707 (Substitute S-2 as reported)

Sponsor: Senator Mary Cavanagh

Committee: Elections and Ethics

### **CONTENT**

The bill would amend the Michigan Election Law to prescribe the following civil fines:

- For an individual who intentionally and knowingly made a false statement or misrepresentation about an election with the intent to impede or prevent another individual from voting, a fine of up to \$1,000.
- For an employer who employed an individual for election-related purposes who violated the above prohibition, a fine of up to \$10,000, unless the entity demonstrated no prior knowledge that the individual planned to make a false statement or misrepresentation.

Proposed MCL 168.931c

### **BRIEF RATIONALE**

According to testimony, Michigan voters have faced increasing misinformation surrounding the election process in recent years, and some of this misinformation is spread intentionally. For example, in October 2020 Attorney General Dana Nessel charged two men, Jacob Wohl and John Burkman, with multiple felonies. Nessel alleged that Wohl and Burkman used robocalls to target voters of color in Detroit and other majority Black areas across multiple swing states to claim that voters would be placed in a database used to track down old warrants, collect debts, and impose mandatory vaccinations if they voted absentee.<sup>1</sup> Election misinformation has the potential to intimidate voters, reducing turnout and undermining the election process. Accordingly, it has been suggested that the Law be amended to increase penalties for intentionally spreading false information.

Legislative Analyst: Abby Schneider

### **FISCAL IMPACT**

The bill could have a positive fiscal impact on the State and local units of government. The bill would impose a civil fine of up to \$10,000. Revenue collected from civil fines is used to support local libraries. Additionally, \$10 of the civil fine would be deposited into the State Justice System Fund, which supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, Treasury. The Fund also supports justice-related issues in the Legislative Retirement System and the Judiciary. The amount of revenue to the State or for local libraries is indeterminate and dependent on the actual number of violations.

Date Completed: 11-25-24

Fiscal Analyst: Joe Carrasco, Jr.

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<sup>1</sup> As of November 2024, the cases against Burkman and Wohl have been referred to the Court of Appeals at the direction of the State Supreme Court. For more information, see: <https://www.freep.com/story/news/politics/elections/2024/06/14/robocalls-2020-election-deter-black-voters-detroit/74088117007/>.