

**SUBSTITUTE FOR
HOUSE BILL NO. 4528**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 31, 683, and 730 (MCL 168.31, 168.683, and
168.730), section 31 as amended by 2012 PA 271, section 683 as
amended by 2018 PA 120, 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



1 state.

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

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

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

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

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

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

29 (h) Investigate, or cause to be investigated by local



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

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

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

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

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

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

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

26 (o) **Establish and require a comprehensive training for each**
 27 **county clerk, and for each political party, incorporated**
 28 **organization, and organized committee of interested citizens that**
 29 **seeks to designate election challengers at an election, regarding**



1 **the processes and procedures on election day and the powers,**
 2 **rights, and duties of election challengers.**

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

9 (a) Determining the validity of registration of a circulator
 10 or individual signing a petition.

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

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

16 Sec. 683. Each county clerk before each primary and election
 17 shall, by some reliable means, notify the clerk of each township
 18 and city in the county of a training school for election inspectors
 19 to be held at a place designated by the county clerk within 20 days
 20 before each primary, general, and special election. The township
 21 and city clerks shall notify each election inspector appointed to
 22 serve at that election of the time and place of the training
 23 school. At the meeting, the county clerk shall instruct and
 24 demonstrate the manner in which the duties of election inspectors
 25 are required by law to be performed, **and must include, but not be**
 26 **limited to, the comprehensive training described under section**
 27 **31(1)(o) regarding the processes and procedures on election day and**
 28 **the powers, rights, and duties of election challengers. ~~It is the~~**
 29 **~~duty of the~~The election inspectors, ~~so~~once notified of the time**



1 **and place of the meeting, ~~to~~ shall** attend the meeting unless
 2 excused by the county clerk for good cause. Compensation may be
 3 paid to them by their respective municipalities at a rate as
 4 determined by the governing bodies. An election inspector shall not
 5 serve in any election unless he or she has within the last
 6 preceding 2 years either attended an election school or has passed
 7 satisfactorily an examination given by the election commission of
 8 the city or township in which appointed. The examination is subject
 9 to the approval of the secretary of state. This section does not
 10 prevent the appointment of an election inspector to fill a vacancy.
 11 This section does not prohibit any city or any township having a
 12 population of 10,000 or more from conducting its own training
 13 school for election inspectors of that city or township. If a city
 14 or township conducts its own training school, election inspectors
 15 who attend a city or township training school are not required to
 16 attend the county training school.

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



1 (2) A challenger ~~shall~~**must** be a registered elector of this
 2 state. **A challenger must not serve as a challenger at any election**
 3 **unless he or she has within the last 90 days attended election**
 4 **challenger training as described in section 730a and received a**
 5 **signed certificate of completion for that election challenger**
 6 **training.** Except as otherwise provided in this section, a candidate
 7 for nomination or election to an office shall not serve as a
 8 challenger **in any precinct in the jurisdiction in which he or she**
 9 **is a candidate** at the election in which he or she is a candidate. A
 10 candidate for the office of delegate to a county convention may
 11 serve as a challenger in a precinct other than the 1 in which he or
 12 she is a candidate. ~~A person~~**An individual** who is appointed as an
 13 election inspector at an election shall not act as a challenger at
 14 any time during the election day.

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

27 **Sec. 730a. (1) Not less than 45 days and not more than 100**
 28 **days before each primary, general, and special election, each**
 29 **county clerk and the secretary of state must offer election**



1 challenger training for each political party, incorporated
2 organization, or organized committee of interested citizens, as
3 described in section 730, that seeks to designate challengers at
4 the election. The election challenger training under this
5 subsection must include, but not be limited to, the comprehensive
6 training described under section 31(1)(o) regarding the processes
7 and procedures on election day, the powers, rights, and duties of
8 election challengers, and training for both precinct polling places
9 and absent voter counting boards.

10 (2) If a political party, incorporated organization, or
11 organized committee of interested citizens seeks to designate
12 challengers at an election, that political party, incorporated
13 organization, or organized committee of interested citizens must
14 attend and complete the election challenger training as provided in
15 subsection (1). A political party, incorporated organization, or
16 organized committee of interested citizens is only required to
17 attend and complete the election challenger training once as
18 offered by the secretary of state or any county clerk.

19 (3) The secretary of state shall create and maintain a
20 registry that includes each political party, incorporated
21 organization, and organized committee of interested citizens that
22 completes the election challenger training under this section. For
23 each political party, incorporated organization, and organized
24 committee of interested citizens in the registry, the name of each
25 individual who attended the training and the name of a contact
26 person for that political party, incorporated organization, or
27 organized committee of interested citizens must be included in the
28 registry. If a political party, incorporated organization, or
29 organized committee of interested citizens attends and completes



1 the election challenger training from a county clerk, that county
2 clerk must immediately notify the secretary of state and the
3 secretary of state must add the name of that political party,
4 incorporated organization, or organized committee of interested
5 citizens, the name of each individual who attended the training,
6 and the contact information for that political party, incorporated
7 organization, or organized committee of interested citizens to the
8 registry. The secretary of state must post and maintain the
9 registry on the department of state's website and make the
10 information in the registry available to each county clerk.

11 (4) Upon completion of the election challenger training as
12 provided in subsection (1), and before the primary, general, or
13 special election, the political party, incorporated organization,
14 or organized committee of interested citizens must provide election
15 challenger training for those individuals seeking to be election
16 challengers for that political party, incorporated organization, or
17 organized committee of interested citizens. The election challenger
18 training for the individuals seeking to be election challengers
19 must include, but not be limited to, the comprehensive training
20 described under section 31(1)(o) regarding the processes and
21 procedures on election day and the powers, rights, and duties of
22 election challengers. The political party, incorporated
23 organization, or organized committee of interested citizens must
24 provide separate training for those individuals seeking to be
25 election challengers at an absent voter counting board.

26 (5) Upon completion of the election challenger training under
27 subsection (4), the political party, incorporated organization, or
28 organized committee of interested citizens must issue a certificate
29 of completion, signed by an officer of that political party,



1 incorporated organization, or organized committee of interested
2 citizens, to the individual seeking to be an election challenger.
3 The political party, incorporated organization, or organized
4 committee of interested citizens may issue the certificate of
5 completion electronically to the individual seeking to be an
6 election challenger if the electronic certificate of completion
7 contains an electronic signature from an officer of that political
8 party, incorporated organization, or organized committee of
9 interested citizens. A signed certificate of completion is valid
10 for 90 days after the date it is issued. The political party,
11 incorporated organization, or organized committee of interested
12 citizens must maintain a record of each individual issued a signed
13 certificate of completion by that political party, incorporated
14 organization, or organized committee of interested citizens.

15 (6) If a political party, incorporated organization, or
16 organized committee of interested citizens issues a signed
17 certificate of completion to an individual who the political party,
18 incorporated organization, or organized committee of interested
19 citizens did not provide election challenger training, the
20 political party, incorporated organization, or organized committee
21 of interested citizens is responsible for a state civil infraction
22 and may be ordered to pay a civil fine of not more than \$2,500.00.

