

A SUMMARY OF HOUSE BILL 5054 AS INTRODUCED 10-26-99

House Bill 5054 would amend the Michigan Election Law (MCL 268.2 et al.) in the following ways:

1. The bill would change current requirements that various lists of candidates names be forwarded to the secretary of state within "24 hours" after the conclusion of a state convention or of a county caucus to, instead, "not more than [one] business day" after.
2. It would change the deadline for withdrawing various nominations from 4 p.m. (Eastern standard time) of "the third day" after the close of a state convention to, instead, 4 p.m. of "the fourth business day" following the conclusion of the convention.
3. The bill would change the deadline for filing an affidavit with the secretary of state in cases where candidates for judicial office are nominated at political party conventions from "within 48 hours" after the close of the convention to, instead, "not more than [three] business days" after the conclusion of the convention.
4. The bill would also require each county, township, city, or village to provide its clerk with a permanent postal mailing address and an electronic mailing address within 30 days after the bill was enacted, and require the clerk to notify the secretary of state in writing of those addresses. In addition, the bill would require the clerk to notify the secretary of state not less than three business days after a change in either of these addresses.
5. Under the bill, the legislative body of a city, village, or township would be prohibited from establishing, moving, or abolishing a polling place less than 60 days before an election unless it were necessary because the polling place had been damaged, destroyed, or rendered inaccessible or unusable as a polling place.
6. The bill would delete the prohibition against printing the name of a candidate on the ballot unless the notice of acceptance and the affidavit of identity accompanies a certificate of acceptance.
7. Currently, certain people -- civilian employees or members of the armed services outside of the United States or United States citizens residing in the District of Columbia or temporarily residing outside of the territorial limits of the United States -- who are qualified electors but not registered voters may apply for absentee ballots. They must include with their application for an

absentee voter ballot or registration, an affidavit stating either (1) their qualifications as an elector at the time they left the United States or began residing in the District of Columbia and affirming that they haven't relinquished their citizenship or established residence for voting anywhere else; or (2) that they are the spouse or dependent of someone in the listed categories, that they meet the qualifications as an elector other than residency in Michigan, and that they haven't established a residence for voting in another place. The bill would exempt from the affidavit requirement members of the armed services outside of the United States or their spouses.

8. Currently, candidates voted for in an election may petition for a recount of the votes if certain conditions are met, including that the office be that of representative in Congress, state representative, or state senator. If the recount petition relates to a state senatorial or representative district located solely within one county, the petition for a recount must be filed not later than 48 hours following the adjournment of the meeting of the board of state canvassers at which the certificate of determination for that office was recorded. The bill would amend this part of the election law to specify that in order for a candidate to be eligible to petition for a recount, the office must be for that of representative in Congress, state representative or state senator "for a district located wholly within [one] county," and that the petition for a recount must be filed within 48 hours if it relates not only to a state senatorial or representative district located wholly (instead of "solely") within one county, but also if it relates to the district of a representative in Congress located wholly within one county. The bill would add a new provision requiring that for a special election for representative in Congress, state senator, or state representative for a district located wholly within one county, the petition for recount would have to be filed not later than 48 hours after the certificate of determination was filed with the secretary of the board of state canvassers.
9. Finally, the bill would repeal section 530 of the election law, which requires the secretary of state to convene an advisory committee by January 15 of each odd numbered year to review Michigan's voter registration system.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.