

WRITE-IN CANDIDATE FILING DEADLINE

Senate Bill 462 as passed by the Senate

Sponsor: Sen. Michael Switalski

House Committee: House Oversight, Elections, and Ethics

Senate Committee: Government Operations

First Analysis (2-24-06)

BRIEF SUMMARY: The bill would change the deadline to file as a write-in candidate. Instead of 4 p.m. on the Friday before the election, the new deadline would be 4 p.m. on the Tuesday before the election.

FISCAL IMPACT: The bill would have no fiscal impact on state or local government.

THE APPARENT PROBLEM:

Currently under the election law, candidates who decide to run for office after the deadline for filing petitions may run as "write-in" candidates. That is to say, they can campaign to have their names written in, by voters, on the already printed ballot on the day of the election. All write-in candidates must register with the local clerk by 4 p.m. the Friday before the election.

Clerks report that they train their precinct and poll workers during the week before the election. In order that the precinct workers they train will know about a write-in candidate and be able to answer voters' questions about how to accurately add the candidate's name to the ballot, municipal clerks and others have asked that the write-in registration deadline be moved up to earlier in the week before the election.

THE CONTENT OF THE BILL:

Senate Bill 462(S-1) would amend the Michigan Election Law to change the deadline to file a declaration of intent to be a write-in candidate from 4 p.m. on the Friday immediately preceding the election, to 4 p.m. on the Tuesday immediately before the election.

MCL 168.737a

HOUSE COMMITTEE ACTION:

The House Oversight, Elections, and Ethics Committee reported out the Senate-passed version of the bill without amendments.

ARGUMENTS:

For:

This bill has been requested by local elections officials. Currently the filing deadline for write-in candidates—the Friday before an election—is too close to Election Day to allow clerks to alert their precinct workers, and train them properly. This bill would move the registration deadline back to Tuesday, a week before the election. The change in the Election Law would allow county clerks time to train their precinct and poll workers in the proper voting protocols for 'write-in' candidates.

Against:

Although this bill is a good one, some local election officials have asked that the registration deadline for write-in candidates be moved back further still—either two weeks before election day, or in the alternative, the second Friday before election day.

POSITIONS:

The Michigan Association of Municipal Clerks supports the bill. (2-22-06)

The Council of Election Officials supports the bill. (2-22-06)

The Michigan Townships Association supports the bill. (2-22-06)

Legislative Analyst: J. Hunault

■ 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.