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**BILL ANALYSIS**

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Senate Bill 462 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Michael Switalski
Committee: Government Operations

Date Completed: 5-26-05

RATIONALE

Under the Michigan Election Law, a board of election inspectors may not count a write-in vote for a person unless he or she has filed a declaration of intent to be a write-in candidate. This provision was added to the Law by Public Act 461 of 1996 to relieve election workers from having to count frivolous votes, such as those for "Mickey Mouse" or for unwilling and unsuspecting people. Currently, election officials now must count write-in votes only for individuals who appear on the official list of write-in candidates. A write-in candidate must file a declaration of intent with the filing official for the elective office by 4 p.m. on the Friday immediately preceding the election. Many local clerks, however, reportedly train election workers and generate their tally sheets during the week before the election. It has been suggested that the deadline be moved to earlier in the week.

CONTENT

The bill 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

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The current Friday deadline occurs so close to the day of the election that some municipal clerks do not have sufficient time to train their election workers properly. For example, some jurisdictions provide training on the Wednesday and Thursday the week before the election. It would be helpful if election officials knew at that time the names of the write-in candidates whose votes were to be tabulated at the election. Moving the filing deadline up a few days would make it easier for local clerks to fulfill their duties and improve the administration of elections.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.