

# Legislative Analysis

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## **PETITION CIRCULATORS: REQUIRE IDs AND PROHIBIT PAY PER SIGNATURE AND SHEET**

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### **House Bill 4046**

**Sponsor: Rep. Eileen Kowall**  
**Committee: Elections and Ethics**

**Complete to 3-4-13**

### **A REVISED SUMMARY OF HOUSE BILL 4046 AS INTRODUCED 1-22-13**

House Bill 4046 would amend the Michigan Election Law (MCL 168.483b and 168.957a) to:

- Require an individual receiving compensation to circulate a petition to wear an identification badge that identifies the individual as a paid circulator and also identifies the person or entity paying the circulator.
- Prohibits a paid circulator from being paid a fixed rate or amount for each petition signature collected or each completed petition signature sheet.

Section 483b would apply to petitions for a constitutional amendment, initiation of legislation, or referendum of legislation. Section 957a would apply to petitions for recall elections.

### **FISCAL IMPACT:**

House Bill 4046 would not have a fiscal impact on the Department of State (DOS) or local clerk offices since the DOS and local clerk office do not substantially engage in enforcement activities.

Subsection 931(2) of the Michigan Election Law stipulates that a violation of a provision of the act for which a penalty is not otherwise specifically provided is a misdemeanor, and Section 934 stipulates that a person found guilty of a misdemeanor under the Michigan Election Law shall be punished by a fine not exceeding \$500 (which would support public libraries), imprisonment in the county jail for a term not exceeding 90 days, or both.

New misdemeanor convictions could increase costs related to county jails and/or local misdemeanor probation supervision. The costs of local incarceration in a county jail and local misdemeanor probation supervision vary by jurisdiction. Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally-designated recipients of those revenues. Information is not available on the number of persons that might be convicted under these provisions.

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