

ELECTIONS; QVF MAINTENANCE; MODEL AGREEMENTS; CLERK VACANCIES

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House Bill 4878 (Substitute H-2)
Sponsor: Rep. Bradford C. Jacobsen
Committee: Elections and Ethics

Complete to 12-2-13

A REVISED SUMMARY OF HOUSE BILL 4878 (H-2) AS REPORTED FROM COMMITTEE & PASSED BY THE HOUSE

House Bill 4878(H-2) would amend the Michigan Election Law (MCL 168.509o et al.) to:

- Allow the Bureau of Elections or a county clerk to handle qualified voter file list maintenance.
- Permit the Bureau of Elections or a local clerk to supervise upcoming elections when an office of the clerk suddenly becomes vacant.
- Allow a city or township to enter into an agreement with the county so the county clerk can conduct certain election administration duties.

A more detailed description of the bill follows.

QVF List Maintenance

The bill specifies that beginning January 1, 2014, the state Bureau of Elections or a county clerk may enter into a written agreement with the clerk of any city or township to allow the Elections Bureau or a county clerk to handle list maintenance for the qualified voter file (QVF). A written agreement would not be effective unless approved by a resolution of the city or township's governing body.

Agreements for Administration of Elections

The bill also specifies that the clerk of a city or township could enter into a written agreement with the county in which it is located whereby the county clerk would conduct certain election administration duties, including, but not limited to, any of the following:

- Distribute, receive, and process absent voter ballot applications and absent voter ballots.
- Process voter registrations in the qualified voter file (QVF).
- Conduct regular list maintenance of the QVF, including but not limited to maintaining the street index.
- Prepare for and conduct Election Day operations.

The bill specifies that an agreement would not be effective unless approved by the city or township's governing body.

Model Written Agreements

House Bill 4878 (H-2) requires the state Bureau of Elections to develop model language for a written agreement that could be used by a county, city, or township. The bill specifies that all written agreements must contain a provision that either participating party may terminate the agreement with 60 days' written notice. In addition, the bill requires that all written agreements and termination notices be filed with the state Bureau of Elections and with the clerk of each county where a participating party is located.

Clerk Vacancy

House Bill 4878 (H-2) also specifies that if the office of county, city, or township clerk becomes vacant in close proximity to an election, the state Bureau of Elections or a county, city, or township clerk may, with the approval of the municipality's governing body, supervise or administer the upcoming election.

FISCAL IMPACT:

The Department of State reports that the bill is not expected to pose significant costs for the department. Municipalities could realize savings through agreements that transferred certain election-related duties to county clerks.

POSITIONS:

The Secretary of State supports the bill. (10-29-13)

The Michigan Association of County Clerks supports the bill. (10-29-13)

The American Federation of State, County, and Municipal Employees (AFSCME) supports the substitute bill. (10-22-13)

The Michigan Association of Municipal Clerks is neutral on the bill. (10-29-13)

The Michigan Municipal League is neutral on the bill. (10-29-13)

The Michigan Townships Association is neutral on the bill. (10-29-13)

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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.