

HOUSE BILL No. 5211

November 1, 2017, Introduced by Reps. Love, Moss, Greig, Neeley, Hertel, Gay-Dagnogo, Faris, Sowerby, Wittenberg, Geiss, Pagan, Elder, Ellison, Chang, Sabo, Lasinski, Yaroch, Clemente, Rabhi, Hammoud and Zemke and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
(MCL 168.1 to 168.992) by adding sections 484a and 956a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 484A. (1) IF AN ORGANIZATION EMPLOYS AN INDIVIDUAL TO**
2 **CIRCULATE OR OBTAIN SIGNATURES ON A BALLOT QUESTION PETITION**
3 **PROPOSING A CONSTITUTIONAL AMENDMENT, INITIATION OF LEGISLATION, OR**
4 **REFERENDUM OF LEGISLATION, THE INDIVIDUAL SHALL NOT INTENTIONALLY**
5 **MAKE A FALSE STATEMENT OR MISREPRESENTATION CONCERNING THE**
6 **CONTENTS, PURPORT, OR EFFECT OF THE BALLOT QUESTION PETITION TO ANY**
7 **OF THE FOLLOWING INDIVIDUALS:**

8 **(A) AN INDIVIDUAL WHO SIGNS THE BALLOT QUESTION PETITION.**

1 (B) AN INDIVIDUAL WHO DESIRES TO SIGN THE BALLOT QUESTION
2 PETITION.

3 (C) AN INDIVIDUAL WHO IS REQUESTED TO SIGN THE BALLOT QUESTION
4 PETITION.

5 (D) AN INDIVIDUAL WHO MAKES INQUIRIES WITH REFERENCE TO THE
6 BALLOT QUESTION PETITION.

7 (E) AN INDIVIDUAL TO WHOM THE BALLOT QUESTION PETITION IS
8 PRESENTED FOR SIGNATURE.

9 (2) IF AN ORGANIZATION EMPLOYS AN INDIVIDUAL TO CIRCULATE OR
10 OBTAIN SIGNATURES ON A BALLOT QUESTION PETITION PROPOSING A
11 CONSTITUTIONAL AMENDMENT, INITIATION OF LEGISLATION, OR REFERENDUM
12 OF LEGISLATION, THE INDIVIDUAL SHALL NOT KNOWINGLY AND WILLFULLY
13 CIRCULATE, PUBLISH, OR EXHIBIT A FALSE STATEMENT OR
14 MISREPRESENTATION CONCERNING THE CONTENTS, PURPORT, OR EFFECT OF
15 THE CONSTITUTIONAL AMENDMENT, INITIATIVE, OR REFERENDUM FOR THE
16 PURPOSE OF OBTAINING AN INDIVIDUAL'S SIGNATURE ON THE BALLOT
17 QUESTION PETITION OR FOR THE PURPOSE OF PERSUADING OR INFLUENCING
18 AN INDIVIDUAL TO SIGN THE BALLOT QUESTION PETITION.

19 (3) IF AN INDIVIDUAL EMPLOYED BY AN ORGANIZATION TO CIRCULATE
20 OR OBTAIN SIGNATURES ON A BALLOT QUESTION PETITION PROPOSING A
21 CONSTITUTIONAL AMENDMENT, INITIATION OF LEGISLATION, OR REFERENDUM
22 OF LEGISLATION VIOLATES ANY PROVISION OF THIS SECTION, THE
23 ORGANIZATION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT
24 MORE THAN \$10,000.00.

25 SEC. 956A. (1) IF AN ORGANIZATION EMPLOYS AN INDIVIDUAL TO
26 CIRCULATE OR OBTAIN SIGNATURES ON A RECALL PETITION, THE INDIVIDUAL
27 SHALL NOT INTENTIONALLY MAKE A FALSE STATEMENT OR MISREPRESENTATION

1 CONCERNING THE CONTENTS, PURPORT, OR EFFECT OF THE RECALL PETITION
2 TO ANY OF THE FOLLOWING INDIVIDUALS:

3 (A) AN INDIVIDUAL WHO SIGNS THE RECALL PETITION.

4 (B) AN INDIVIDUAL WHO DESIRES TO SIGN THE RECALL PETITION.

5 (C) AN INDIVIDUAL WHO IS REQUESTED TO SIGN THE RECALL
6 PETITION.

7 (D) AN INDIVIDUAL WHO MAKES INQUIRIES WITH REFERENCE TO THE
8 RECALL PETITION.

9 (E) AN INDIVIDUAL TO WHOM THE RECALL PETITION IS PRESENTED FOR
10 SIGNATURE.

11 (2) IF AN ORGANIZATION EMPLOYS AN INDIVIDUAL TO CIRCULATE OR
12 OBTAIN SIGNATURES ON A RECALL PETITION, THE INDIVIDUAL SHALL NOT
13 KNOWINGLY AND WILLFULLY CIRCULATE, PUBLISH, OR EXHIBIT A FALSE
14 STATEMENT OR MISREPRESENTATION CONCERNING THE CONTENTS, PURPORT, OR
15 EFFECT OF THE RECALL FOR THE PURPOSE OF OBTAINING AN INDIVIDUAL'S
16 SIGNATURE ON THE RECALL PETITION OR FOR THE PURPOSE OF PERSUADING
17 OR INFLUENCING AN INDIVIDUAL TO SIGN THE RECALL PETITION.

18 (3) IF AN INDIVIDUAL EMPLOYED BY AN ORGANIZATION TO CIRCULATE
19 OR OBTAIN SIGNATURES ON A RECALL PETITION VIOLATES ANY PROVISION OF
20 THIS SECTION, THE ORGANIZATION IS GUILTY OF A MISDEMEANOR
21 PUNISHABLE BY A FINE OF NOT MORE THAN \$10,000.00.