

Senate Bill 288 (as introduced 3-24-21)
Sponsor: Senator Jon Bumstead
Committee: Elections

Date Completed: 5-19-21

CONTENT

The bill would amend the Michigan Election Law to do the following:

- **Require, at least five days before an election audit, the appropriate city or township board of election commissioners where each precinct to be audited was located to appoint two election inspectors, one from each major political party.**
- **Require the appointed election inspectors to meet the qualifications prescribed by the Law.**
- **Allow each political party to designate two observers to monitor the election audit proceedings in person at the location where the audit was being conducted.**
- **Require the Secretary of State (SOS) to provide live video streaming of the election audit in each precinct on the Secretary of State's website.**

The Law allows the SOS to audit election precincts after each election to ensure compliance with the Law's provisions. The SOS must prescribe the procedures for audits that include reviewing the documents, ballots, and procedures used during the election. An election audit must include an audit of the results of at least one race in each precinct elected for an audit. A statewide election audit must include an audit of the results of at least one statewide race of ballot question in a precinct selected for an audit. An audit conducted under this provision is not a recount and does not change any certified election results.

Under the bill, at least five days before the date of an election audit, the appropriate city or township board of election commissioners where each precinct to be audited was located would have to appointed two election inspectors, one from each major political party, for the efficient, speedy, and proper conduct of the audit. The Board would have to appoint the election inspectors as provided under Section 674. Additionally, each inspector would have to meet the qualifications as provided in Section 677.

(Section 674 pertains to the appointment of election inspectors a city or township board of election commissioners. Between 21 to 40 days before each election, the board must appoint for each election precinct at least three election inspectors and as many more as in its opinion is required for efficient conduct of the election. The Board may appoint as an election inspector an individual on the list submitted by a major political party who is qualified to serve under Section 677. Section 677 requires an election inspector to be a qualified and registered voter in Michigan, must have a good reputation, and must have sufficient education and clerical ability to perform the duties of the office. A person may not be appointed to a board of election inspectors unless that person has filed an application with a city or township clerk in that county where the individual wishes to serve as election inspector).

At each precinct randomly selected for an election audit, each political party could designate two observers to monitor the audit proceedings in person at the location where the audit was being conducted. In addition, the SOS would have to provide live video streaming of the election audit in each precinct on the Secretary of State's website.

MCL 168.31a

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill could have an indeterminate negative fiscal impact on the Department of State. The Department would have to provide on its website a live video stream of each election audit in each precinct selected for audit. Depending on the Department's video capabilities, upgrades or replacement of existing equipment could be required, particularly if multiple locations were audited simultaneously. There likely would be additional administrative costs associated with these efforts. The cost to the Department could be minimal and likely would be absorbed within existing appropriations if little or no upgrades were required; however, purchasing new or upgrading existing equipment likely would require additional appropriations. The costs are indeterminate and would depend on the amount of administrative costs required to comply with the bill, as well as the extent to which upgrading or purchasing new equipment would be required.

Fiscal Analyst: Joe Carrasco

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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.