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Senate Bills 1108 through 1110 (as introduced 11-13-24)  
Sponsor: Senator Jeremy Moss (S.B. 1108 & 1109)  
Senator Jeff Irwin (S.B. 1110)  
Committee: Elections and Ethics

Date Completed: 12-3-24

## **CONTENT**

### **Senate Bill 1110 would amend the Michigan Election Law to do the following:**

- **Require that, if an elector signed a petition, nominating petition, qualifying petition for a candidate without political party affiliation, a petition to form a new State political party, or a recall petition more than once, only the first valid signature of that elector would be counted.**
- **Modify various petition headings and warnings in accordance with the requirement above.**
- **Repeal Section 547a, which generally governs how nominating petition signatures of a voter who signed more candidates' petitions than the number of seats available for that public office may be counted.**

**Senate Bill 1108 would amend the Michigan Election Law to require an individual employed to circulate a petition or a recall petition to be paid an hourly rate instead of a fixed rate or amount for each signature or signature sheet completed.**

**Senate Bill 1109 would amend the Michigan Election Law to require the circulator of a petition to read to or allow an individual to read the summary of the purpose of a petition's proposed amendment or question before the individual signed the petition.**

Senate Bill 1110 would take effect 90 days after its enactment.

### **Senate Bill 1110**

Among other things, the Law prescribes physical requirements for ballot initiative petitions. For example, the Law requires the following statement to be printed beneath the petition heading: "We, the undersigned qualified and registered electors, residents in the \_\_\_\_\_ congressional district in the state of Michigan, respectively petition for (amendment to constitution) (initiation of legislation) (referendum of legislation) (other appropriate description).".

The bill would amend this language to read as follows: "We, the undersigned qualified and registered electors, residents in the \_\_\_\_\_ city township (strike 1) of \_\_\_\_\_, in the county of \_\_\_\_\_, in the state of Michigan, respectively petition for (amendment to constitution) (initiation of legislation) (referendum of legislation) (other appropriate description).".

The Law also requires the following warning to be printed in 12-point type immediately above the place for signatures, on each part of the petition: "A person who knowingly signs this

petition more than once, signs a name other than his or her own, signs when not a qualified and registered elector, or sets opposite his or her signature on a petition, a date other than the actual date the signature was affixed, is violating the provisions of the Michigan Election Law."

Instead, under the bill, if a petition, nominating petition, qualifying petition for a candidate without political party affiliation, a petition to form a new State political party, or a recall petition contained the signature of the same elector more than one time, only the first valid signature of that elector could be counted. As such, the bill would modify the warning to read as follows: "An individual who knowingly signs a name other than the individual's own name, signs when not a qualified and registered elector, or sets opposite the individual's signature on a petition a date other than the actual date the signature was affixed is violating the provisions of the Michigan Election Law."

Additionally, a petition to form a new political party must contain the following warning: "A person who knowingly signs petitions to organize more than one new State political party, signs a petition to organize a new State political party more than once, or signs a name other than his or her own is violating the provisions of the Michigan Election Law."

The Law prohibits an individual from knowingly signing a petition to organize more than one new State political party. It also prohibits a voter from signing a petition to a new State political party more than once. The bill would delete the latter provision. As such, the bill would modify the warning's language to read as follows: "An individual who knowingly signs petitions to organize more than one new State political party or signs a name other than the individual's own name is violating the provisions of the Michigan Election Law."

Currently, a person circulating a recall petition must fill out a certificate of circulator. Among other things, the circulator must certify that the circulator had neither caused nor permitted a person to sign the recall petition more than once and has no knowledge of a person signing the recall petition more than once. The bill would delete this provision.

### Repeal

The bill would repeal Section 547a of the Michigan Election Law, which provides that, if a qualified and registered voter signs a nominating petition for a greater number of candidates to public office than the number of persons to be elected, the voter's signatures, if they bear the same date, must not be counted for *any* petition. If the signatures bear different dates, they must be counted by date for only so many candidates as there are persons to be elected.

### **Senate Bill 1108**

The bill would prohibit an individual employed to circulate a petition or a recall petition from being paid a fixed rate or amount for each petition signature collected or for each completed petition signature sheet. If an individual received compensation to circulate a petition or recall petition, the individual would have to be compensated at an hourly rate for time worked.

### **Senate Bill 1109**

The bill would require the circulator of a petition to do either of the following before having an individual sign the petition:

- Indicate to the individual where the summary of the purpose of the proposed amendment or question proposed was located on the petition and give that individual the opportunity to read the summary.

-- Read to the individual the summary of the purpose of the proposed amendment or question proposed.

If a circulator failed to comply with this requirement when obtaining a signature on a petition, that petition signature would be invalid and could not be counted.

Proposed MCL 168.483b & 168.957a (S.B. 1108)

Proposed MCL 168.482g (S.B. 1109)

MCL 168.482 et al. (S.B. 1110)

### **PREVIOUS LEGISLATION**

*(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)*

Senate Bill 1110 is similar to House Bill 5696 of the 2015-2016 Legislative Session, House Bill 5214 of the 2017-2018 Legislative Session, Senate Bill 1213 of the 2019-2020 Legislative Session, and Senate Bill 608 of the 2021-2022 Legislative Session. Senate Bill 1108 is similar to House Bill 5210 of the 2017-2018 Legislative Session, Senate Bill 1212 of the 2019-2020 Legislative Session, and Senate Bill 607 of the of the 2021-2022 Legislative Session.

Legislative Analyst: Abby Schneider

### **FISCAL IMPACT**

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

Fiscal Analyst: Joe Carrasco, Jr.  
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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.