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SFA**BILL ANALYSIS**

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House Bill 4221 (Substitute S-2 as reported)
Sponsor: Representative Robert C. Brackenridge
House Committee: Local Government
Senate Committee: Government Operations

CONTENT

The bill would amend the Michigan Election Law to eliminate provisions in the Law that require candidates for office to present proof of citizenship and to require, instead, that a candidate include in an affidavit a statement that he or she was a United States citizen. The bill also specifies that under certain circumstances a vote could not be considered valid unless the ballot was marked in a predefined area and it was clearly evident that the voter intended to vote; in a recount, an election official could determine the intent of a voter.

In addition to the information already required to appear in an affidavit, the bill would require that it include a statement that the candidate acknowledged that making a false statement in the affidavit is perjury, punishable by a fine of up to \$1,000 and/or imprisonment for up to five years.

Currently, under the Election Law, a candidate who files a nominating petition or a filing fee for a national, State, or local office must adhere to certain requirements including (pursuant to Public Act 583 of 1996) a requirement that the candidate present to the filing official a birth certificate, naturalization papers, or a passport as proof of citizenship. Further, a copy of the proof of citizenship must be kept on file by the filing official. The bill would delete these provisions.

MCL 168.558

Legislative Analyst: L. Arasim

FISCAL IMPACT

Eliminating the requirement that filing officials keep on file a copy of a candidate's proof of citizenship could result in administrative savings to local clerks.

Date Completed: 10-3-97

Fiscal Analyst: B. Bowerman