



Ruth Johnson
Michigan Secretary of State

Secure and Fair Elections (SAFE) Legislation

(updated July 3, 2012)

1. LEGAL DEFENSE EXPENDITURES (HB 5058)

SPONSOR: Rep. Knollenberg

STATUS: Signed by governor on July 3, 2012.

- A. Limit legal defense expenditures within the Michigan Campaign Finance Act to expenses related to recalls, recounts and campaign finance and election law compliance/audit situations and other normal expenses related to running for office.
- B. All other legal expenditures would be required to come from an account established under the Legal Defense Fund Act.
- C. Require that any legal defense expenditures under one of these limited categories is identified within the campaign finance report as to the purpose of the expenditure; further disclosure without compromising attorney-client privilege allowances.
- D. Removes an internal revenue code citation from the definition of incidental expense.

2. CAMPAIGN FINANCE VIOLATIONS

SPONSOR: Rep. Tyler (HB 5059) and Sen. Brandenburg (SB 753)

STATUS: Signed by governor on July 3, 2012.

- A. Require disclosure of financing for new political parties when they collect signatures as well. This would follow the same schedule as for ballot questions.
- B. Create a felony violation for failure to file finance reports where balances above \$20,000 are being carried forward.

- C. Provide that campaign committees that fail to file annual report for two consecutive years forfeit their fund balances to the state/MDOS.
- D. Increase penalties for knowingly omitting contributions and expenditures from reports.

NOTE: The following language from HB 5059 was moved to SB 824 which is not part of the SAFE package:

- Amend the Campaign Finance Act to require that a ballot question committee must begin filing on a quarterly basis as soon as a petition question is filed with SOS and has raised/expended at least \$500.

3. ABSENTEE VOTING BALLOT SAFEGUARDS

SPONSOR: Sen. Robertson (SB 751)

STATUS: Signed by governor on July 3, 2012.

- A. Allow Bureau of Elections to send notices when voters have moved to another state and surrendered their driver's license. Currently, the locals do this.
- B. Creates inactive file.
- C. Allow local clerks to draw precinct boundaries based on the numbers from a file of active voters.
- D. Require local clerks to participate in absentee ballot tracker program if the community has the capability.

4. VOTE COUNT INTEGRITY

SPONSOR: Rep. Forlini (HB 5062)

STATUS: Signed by governor on July 3, 2012.

- A. Require receiving boards.
- B. Establish post-election performance audit program where Bureau of Elections or county clerks would be authorized to check that election process was properly followed for a specific list of election duties.
- C. Require newly elected clerk certification and continuing election education requirements every two years.
- D. Clarify ballot container integrity process between administrative rules and conflicting statutory sections to require containers/ballots preserved for 30 days.
- E. Extend the time for which clerks must keep voter applications.
- F. Change statute of limitations for voting more than once in the same election to the same as fraudulent voter registration.

5. ELECTION LAW UPDATES

SPONSOR: Sen. Hansen (SB 752)

STATUS: Signed by governor on July 3, 2012.

- A. Establish uniform/consolidated ballot printing requirement.
- B. Require more-detailed election results reports.
- C. Require all minor parties to notify Bureau of Elections at least 10 days prior to the holding of a candidate nominating convention with date/time/location.
- D. Removes obscure language.

6. MILITARY VOTING BILL (not a part of SAFE)

SPONSOR: Rep. Rick Outman (HB 5297)

STATUS: Signed by governor on July 3, 2012.

- A. Amend Michigan election law to expand the federal write-in absentee ballot to include state and local candidates and ballot questions for overseas military and their families.
- B. Voter who used the ballot would be required to return the voted ballot by mail to the appropriate clerk.