

DRAFT 2

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
(MCL 168.1 to 168.992) by adding section 37a; and to repeal acts
and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 37A. (1) THE BLUE RIBBON COMMISSION ON VERIFIED VOTING**
2 **AND ELECTION INTEGRITY IS CREATED WITHIN THE DEPARTMENT OF CIVIL**
3 **RIGHTS.**

4 **(2) THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND ELECTION**
5 **INTEGRITY SHALL CONSIST OF THE FOLLOWING 15 MEMBERS, APPOINTED BY**
6 **THE CIVIL RIGHTS COMMISSION:**

7 **(A) TWO INDIVIDUALS, 1 FROM EACH MAJOR POLITICAL PARTY, WHO**
8 **WERE PREVIOUSLY EITHER A STATE SENATOR OR A STATE REPRESENTATIVE.**

9 **(B) ONE INDIVIDUAL WHO WAS A PREVIOUS ELECTIVE OFFICEHOLDER OR**
10 **CANDIDATE FROM A POLITICAL PARTY THAT IS NOT A MAJOR POLITICAL**



1 PARTY.

2 (C) ONE INDIVIDUAL REPRESENTING THE BUREAU OF ELECTIONS.

3 (D) TWO INDIVIDUALS WHO ARE VOTING SECURITY AND TECHNOLOGY
4 EXPERTS.

5 (E) ONE INDIVIDUAL WHO IS A TOWNSHIP CLERK OR DEPUTY CLERK
6 WITH ELECTION ADMINISTRATION ACCREDITATION.

7 (F) ONE INDIVIDUAL WHO IS A CITY CLERK OR DEPUTY CLERK WITH
8 ELECTION ADMINISTRATION ACCREDITATION.

9 (G) FOUR INDIVIDUALS REPRESENTING THE NONPARTISAN MICHIGAN
10 ELECTION COALITION WHO HAVE ELECTION ADMINISTRATION AND ELECTION
11 INTEGRITY EXPERIENCE. AS USED IN THIS SUBDIVISION, "ELECTION
12 ADMINISTRATION AND ELECTION INTEGRITY EXPERIENCE" INCLUDES, BUT IS
13 NOT LIMITED TO, EXPERIENCE AS A POLL WORKER, ELECTION PRECINCT
14 CHAIRPERSON, OR ELECTION CHALLENGER, OR PARTICIPATION IN VOTER
15 REGISTRATION DRIVES OR IN THE ACTIONS OF A COUNTY ELECTION
16 COMMISSION OR BOARD OF COUNTY CANVASSERS.

17 (H) THREE INDIVIDUALS WHO ARE REGISTERED ELECTORS IN THIS
18 STATE AND WHO HAVE ELECTION ADMINISTRATION EXPERIENCE AND RELEVANT
19 EMPLOYMENT OR EDUCATION.

20 (3) IN ADDITION TO ANY SPECIFIC QUALIFICATIONS PROVIDED UNDER
21 SUBSECTION (2), EACH MEMBER APPOINTED UNDER SUBSECTION (2) SHALL
22 HAVE EXPERIENCE WITH THE ELECTORAL PROCESS, INCLUDING, BUT NOT
23 LIMITED TO, VOTE COUNTING METHODOLOGY.

24 (4) ANY MEMBER, EMPLOYEE, OR AGENT OF A VOTING EQUIPMENT
25 VENDOR SHALL NOT BE APPOINTED AS A MEMBER OF THE BLUE RIBBON
26 COMMISSION ON VERIFIED VOTING AND ELECTION INTEGRITY OR BE
27 APPOINTED OR HIRED BY THE BLUE RIBBON COMMISSION ON VERIFIED VOTING



1 AND ELECTION INTEGRITY IN A PROFESSIONAL OR ADVISORY CAPACITY.

2 (5) A PERSON WISHING TO BE A MEMBER OF THE BLUE RIBBON
3 COMMISSION ON VERIFIED VOTING AND ELECTION INTEGRITY SHALL SUBMIT A
4 WRITTEN APPLICATION TO THE CIVIL RIGHTS COMMISSION PROVIDING HIS OR
5 HER QUALIFICATIONS TO SERVE ON THE BLUE RIBBON COMMISSION ON
6 VERIFIED VOTING AND ELECTION INTEGRITY AND LISTING ANY POTENTIAL
7 CONFLICTS OF INTEREST.

8 (6) THE MEMBERS APPOINTED TO THE BLUE RIBBON COMMISSION ON
9 VERIFIED VOTING AND ELECTION INTEGRITY SHALL BE APPOINTED WITHIN 60
10 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
11 SECTION.

12 (7) MEMBERS OF THE BLUE RIBBON COMMISSION ON VERIFIED VOTING
13 AND ELECTION INTEGRITY SHALL SERVE FOR A TERM OF 2 YEARS, OR UNTIL
14 THE COMPREHENSIVE PLAN IS SUBMITTED TO THE LEGISLATURE AS PROVIDED
15 UNDER SUBSECTION (18), IF COMPLETED BEFORE THE END OF THE 2-YEAR
16 TERM OF OFFICE.

17 (8) IF A VACANCY OCCURS ON THE BLUE RIBBON COMMISSION ON
18 VERIFIED VOTING AND ELECTION INTEGRITY, THE CIVIL RIGHTS COMMISSION
19 SHALL MAKE AN APPOINTMENT FOR THE UNEXPIRED TERM IN THE SAME MANNER
20 AS THE ORIGINAL APPOINTMENT.

21 (9) THE CIVIL RIGHTS COMMISSION MAY REMOVE A MEMBER OF THE
22 BLUE RIBBON COMMISSION ON VERIFIED VOTING AND ELECTION INTEGRITY
23 FOR INCOMPETENCE, DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR
24 NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE INCLUDING, BUT NOT
25 LIMITED TO, UNEXCUSED ABSENCE FROM MEETINGS OR THE DISCOVERY OF ANY
26 UNDISCLOSED CONFLICT OF INTEREST.

27 (10) THE FIRST MEETING OF THE BLUE RIBBON COMMISSION ON



1 VERIFIED VOTING AND ELECTION INTEGRITY SHALL BE CALLED BY THE CIVIL
2 RIGHTS COMMISSION AND SHALL BE HELD WITHIN 30 DAYS AFTER THE DATE
3 THE LAST MEMBER OF THE BLUE RIBBON COMMISSION ON VERIFIED VOTING
4 AND ELECTION INTEGRITY IS APPOINTED UNDER SUBSECTION (6). AT THE
5 FIRST MEETING, THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
6 ELECTION INTEGRITY SHALL ELECT FROM ITS MEMBERS A CHAIRPERSON,
7 VICE-CHAIRPERSON, AND SECRETARY, AND ANY OTHER OFFICERS AS IT
8 CONSIDERS NECESSARY OR APPROPRIATE.

9 (11) AFTER THE FIRST MEETING OF THE BLUE RIBBON COMMISSION ON
10 VERIFIED VOTING AND ELECTION INTEGRITY, THE BLUE RIBBON COMMISSION
11 ON VERIFIED VOTING AND ELECTION INTEGRITY SHALL CONDUCT A MINIMUM
12 OF 6 PUBLIC HEARINGS WITHIN 180 DAYS AFTER THE DATE THE LAST MEMBER
13 OF THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND ELECTION
14 INTEGRITY IS APPOINTED UNDER SUBSECTION (6).

15 (12) A MAJORITY OF THE MEMBERS OF THE BLUE RIBBON COMMISSION
16 ON VERIFIED VOTING AND ELECTION INTEGRITY CONSTITUTE A QUORUM FOR
17 THE TRANSACTION OF BUSINESS AT A MEETING OF THE COMMISSION. A
18 MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR
19 OFFICIAL ACTION OF THE COMMISSION.

20 (13) THE BUSINESS THAT THE BLUE RIBBON COMMISSION ON VERIFIED
21 VOTING AND ELECTION INTEGRITY MAY PERFORM SHALL BE CONDUCTED AT A
22 PUBLIC MEETING OF THE COMMISSION HELD IN COMPLIANCE WITH THE OPEN
23 MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

24 (14) A WRITING PREPARED, OWNED, USED, IN POSSESSION OF, OR
25 RETAINED BY THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
26 ELECTION INTEGRITY IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS
27 SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231



1 TO 15.246.

2 (15) MEMBERS OF THE BLUE RIBBON COMMISSION ON VERIFIED VOTING
3 AND ELECTION INTEGRITY SHALL SERVE WITHOUT COMPENSATION. HOWEVER,
4 MEMBERS OF THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
5 ELECTION INTEGRITY MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY
6 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS
7 MEMBERS OF THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
8 ELECTION INTEGRITY.

9 (16) THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
10 ELECTION INTEGRITY SHALL DO ALL OF THE FOLLOWING:

11 (A) HOLD PUBLIC HEARINGS AND RECEIVE TESTIMONY.

12 (B) DEVELOP AND PREPARE A COMPREHENSIVE PLAN FOR TRANSITIONING
13 TO A MORE TRANSPARENT, ACCURATE, AND VERIFIABLE VOTE COUNTING
14 SYSTEM.

15 (C) RESEARCH AND ACQUIRE TECHNICAL AND SECURITY REQUIREMENTS
16 NECESSARY FOR A MORE TRANSPARENT, ACCURATE, AND VERIFIABLE VOTE
17 COUNTING SYSTEM.

18 (D) PREPARE PROPOSED LEGISLATION FOR IMPLEMENTATION OF A MORE
19 TRANSPARENT, ACCURATE, AND VERIFIABLE VOTE COUNTING SYSTEM.

20 (17) THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
21 ELECTION INTEGRITY MAY ALSO ENGAGE THE SERVICES OF EXPERTS AND
22 ADVISORS CONCERNING VOTE COUNTING SYSTEMS AND MAY APPOINT WORK
23 GROUPS TO CONDUCT RESEARCH.

24 (18) WITHIN 2 YEARS OF THE EFFECTIVE DATE OF THE AMENDATORY
25 ACT THAT ADDED THIS SECTION, THE BLUE RIBBON COMMISSION ON VERIFIED
26 VOTING AND ELECTION INTEGRITY SHALL COMPLETE AND PUBLISH A
27 COMPREHENSIVE PLAN FOR TRANSITIONING TO A MORE TRANSPARENT,



1 ACCURATE, AND VERIFIABLE VOTE COUNTING SYSTEM IN THIS STATE. THE
2 COMPREHENSIVE PLAN SHALL ALSO BE SUBMITTED TO THE LEGISLATURE AND
3 THE RELEVANT LEGISLATIVE COMMITTEES DEALING WITH ELECTION ISSUES.

4 (19) THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
5 ELECTION INTEGRITY MAY, AT THE TIME IT SUBMITS ITS COMPREHENSIVE
6 PLAN TO THE LEGISLATURE UNDER SUBSECTION (18), SUBMIT PROPOSED
7 LEGISLATION TO THE LEGISLATURE TO IMPLEMENT A MORE TRANSPARENT,
8 ACCURATE, AND VERIFIABLE VOTE COUNTING SYSTEM IN THIS STATE.

9 (20) THE BLUE RIBBON COMMISSION ON VERIFIED VOTING AND
10 ELECTION INTEGRITY IS DISSOLVED 1 YEAR AFTER THE DATE IT SUBMITS
11 ITS COMPREHENSIVE PLAN TO THE LEGISLATURE UNDER SUBSECTION (18).

12 (21) THE LEGISLATURE SHALL APPROPRIATE FROM THE GENERAL FUND
13 OF THIS STATE AN AMOUNT NECESSARY TO IMPLEMENT THIS SECTION.

14 Enacting section 1. Section 37 of the Michigan election law,
15 1954 PA 116, MCL 168.37, is repealed.

