

# SENATE BILL NO. 280

March 24, 2021, Introduced by Senators JOHNSON, LASATA, HORN, THEIS, STAMAS, ZORN, BARRETT, VICTORY, DALEY, OUTMAN and VANDERWALL and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 471 and 477 (MCL 168.471 and 168.477), as  
amended by 2018 PA 608.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 471. Petitions under section 2 of article XII of the  
2 state constitution of 1963 proposing an amendment to the  
3 constitution must be filed with the secretary of state at least 120  
4 days before the election at which the proposed amendment is to be

1 voted upon. Initiative petitions under section 9 of article II of  
2 the state constitution of 1963 must be filed with the secretary of  
3 state at least ~~160~~**200** days before the election at which the  
4 proposed law would appear on the ballot if the legislature rejects  
5 or fails to enact the proposed law. Referendum petitions under  
6 section 9 of article II of the state constitution of 1963 must be  
7 filed with the secretary of state not more than 90 days following  
8 the final adjournment of the legislative session at which the law  
9 that is the subject of the referendum was enacted. Not more than  
10 15% of the signatures to be used to determine the validity of a  
11 petition described in this section shall be of registered electors  
12 from any 1 congressional district. Any signature submitted on a  
13 petition above the limit described in this section must not be  
14 counted. When filing a petition described in this section with the  
15 secretary of state, a person must sort the petition so that the  
16 petition signatures are categorized by congressional district. In  
17 addition, when filing a petition described in this section with the  
18 secretary of state, the person who files the petition must state in  
19 writing a good-faith estimate of the number of petition signatures  
20 from each congressional district.

21       Sec. 477. (1) Except as otherwise provided in this subsection,  
22 the board of state canvassers shall make an official declaration of  
23 the sufficiency or insufficiency of a petition under this chapter  
24 at least 2 months before the election at which the proposal is to  
25 be submitted. ~~The~~**Subject to subsection (3), the** board of state  
26 canvassers shall make an official declaration of the sufficiency or  
27 insufficiency of an initiative petition no later than 100 days  
28 before the election at which the proposal is to be submitted. The  
29 board of state canvassers may not count toward the sufficiency of a

1 petition described in this section any valid signature of a  
2 registered elector from a congressional district submitted on that  
3 petition that is above the 15% limit described in section 471. If  
4 the board of state canvassers declares that the petition is  
5 sufficient, the secretary of state shall send copies of the  
6 statement of purpose of the proposal as approved by the board of  
7 state canvassers to the several daily and weekly newspapers  
8 published in this state, with the request that the newspapers give  
9 as wide publicity as possible to the proposed amendment or other  
10 question. Publication of any matter by any newspaper under this  
11 section must be without expense or cost to this state.

12 (2) For the purposes of the second paragraph of section 9 of  
13 article II of the state constitution of 1963, a law that is the  
14 subject of the referendum continues to be effective until the  
15 referendum is properly invoked, which occurs when the board of  
16 state canvassers makes its official declaration of the sufficiency  
17 of the referendum petition. The board of state canvassers shall  
18 complete the canvass of a referendum petition within 60 days after  
19 the petition is filed with the secretary of state, except that 1  
20 15-day extension may be granted by the secretary of state if  
21 necessary to complete the canvass.

22 (3) **The board of state canvassers shall complete the canvass**  
23 **of an initiative petition within 100 days after the petition is**  
24 **filed with the secretary of state. If the board of state canvassers**  
25 **declares that an initiative petition is sufficient, the initiative**  
26 **petition must be immediately forwarded to the legislature for**  
27 **consideration.**