

**House Elections and Ethics Meeting**  
**Tuesday, May 24, 2022 12:00 pm**  
**Testimony HB 6124**

Good afternoon,

Thank you for the opportunity to testify on HB 6124 which would require training for election challengers and inspectors.

The bill would require the SOS to develop a comprehensive training program regarding the processes and procedures and the powers, rights, and duties of election challengers. Challengers, like inspectors, play an important role in the election process.

Currently there is no requirement for challengers to be trained in MI election law. Inspectors do receive training as part of the election inspector certification process every two years.

Recent elections have highlighted the need for more robust training, continuity, and accountability when it comes to the challenge process. In the past there has been confusion as it relates to who can challenge, what can be challenged, and why challenges may be handled differently in different jurisdictions. HB 6124 will alleviate some of the confusion and ensure that this important element of our election process is handled consistently across the state.

As I mentioned, currently poll challengers are not required to undergo any training under Michigan election law. The sponsoring organizations may require their challengers to be trained, but it is not required. Any training that does occur is likely not uniform and varies widely in curriculum. HB 6124 would provide uniform training for challengers so those involved in the process will more fully understand the rights and obligations of both challengers and inspectors.

House Bill 6124 is a reintroduction of HB 4528, which was vetoed by the Governor last fall, with the Governor claiming that this was an unfunded mandate. This bill has been tie-barred to HB 5783 which makes provisions for the additional funding requested by the Governor and the SOS.

I will note that we will be requesting a substitute to the bill due to a drafting oversight that would state IF A CHALLENGER ATTENDED ELECTION CHALLENGER TRAINING AS DESCRIBED IN SECTION 730a WITHING 90 DAYS BEFORE AN AUGUST PRIMARY ELECTION AND THE CHALLENGER RECEIVED A SIGNED CERTRFICATE OF COMPLETION FOR THE ELECTION CHALLENGER TRAINING, THAT CHALLENGER MAY SERVE AS A CHALLENGER AT THE SUBSEQUENT GENERAL NOVMEBER ELECTION WITHOUT HAVING TO ATTEND ELECTION CHALLENGER TRAINING AS DESCRIBED IN 730a UNLESS THERE HAS BEEN A STATUTORY CHANGE THAT REQUIRES ELECTION CHALLENGER TRAINING TO BE UPDATED FOR THE SUBSEQUENT GENERAL NOVEMBER ELECTION.

Also, the question has been raised previously as to why the training cannot be good for a longer period. The reason is that the March presidential primary is very different from an August primary which is very different from a November general election and people very often get confused on the rules applying to each of them. For example, March presidential primary voters pick a ballot style by party resulting in only being able to cast a ballot for one party; removing the opportunity to cross over. In August, the parties are on the same ballot and you cannot cross-over. In November, it is vote as you choose. Also, it is important to note that changes in law can take place up to an election and it is important that workers and challengers are up to speed on any significant changes that may impact a challenge.

As a former clerk, I know first-hand to the confusion and frustration that surfaces. I have heard from county clerks citing concerns for how they will manage the training. Nothing in the bill prevents a county clerk from having the SOS provide the training at their location on their behalf. This is similar to changes that have affected local clerks for many years. I have every confidence that the SOS and county clerks can make this work.

Thank you again for the opportunity to address the committee and I am happy to answer any questions you may have.