

# NOMINATING CANDIDATES FOR STATE AND FEDERAL OFFICES

## ***President***

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective party conventions.

Candidates without party affiliation must file petitions to qualify for a position on the general election ballot. The qualifying petitions must be signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 congressional districts of the state. Only signatures that are obtained within 180 days immediately preceding the date of filing the qualifying petitions are valid. MCL 168.590b.

### ***Eligibility Requirements***

Article II of the U.S. Constitution provides . . . “No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.”



## ***Vice-President***

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective party conventions.

Candidates without party affiliation for this office are nominated by the candidate without party affiliation who filed qualifying petitions for the office of president. MCL 168.590d.

### ***Eligibility Requirements***

Article XII of the U.S. Constitution provides that “. . . no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.”



## ***Electors of President and Vice-President***

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective state party conventions.

Candidates without party affiliation are nominated by the candidate without party affiliation who filed qualifying petitions for the office of president. MCL 168.590d.

The number of persons nominated is equal in number to the number of U.S. Senators and Representatives in Congress this state is entitled to elect. MCL 168.42.

### ***Eligibility Requirements***

Sec. 41. No person shall be eligible to be an elector of president and vice-president who shall not have been a citizen of the United States for at least 10 years and a resident and registered elector of the congressional district for an elector representing a congressional district, or of the state, for an elector representing the state at large for at least 1 year prior to the election. No senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector, as provided in section 1 of article 2 of the United States constitution. MCL 168.41.



## ***Governor***

Candidates of the Democratic, Republican, and other political parties eligible to nominate candidates at a primary are nominated at the August primary election held in even-numbered years.

To qualify for a position on the August primary ballot, the candidates of these parties are required to file partisan nominating petitions, signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the nominating petitions must be signed by at least 100 registered resident electors in each of at least 1/2 of the congressional districts of the state. MCL 168.53.

Political parties that qualify for a position on the November general election ballot, but are not eligible to nominate candidates at the August primary, nominate candidates at their respective state party conventions. MCL 168.532.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the general election ballot. The qualifying petitions must be signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts of the state. Only signatures which are obtained within 180 days before the date of filing the qualifying petitions are valid. MCL 168.590b.

### ***Eligibility Requirements***

Sec. 22. To be eligible for the office of governor or lieutenant governor a person must have attained the age of 30 years, and have been a registered elector in this state for four years next preceding his election. Const. 1963, art. 5, sec. 22.

Sec. 51. A person shall not be eligible to the office of governor or lieutenant governor unless the person has attained the age of 30 years and has been a registered and qualified elector in this state for 4 years next preceding his or her election, as provided in section 22 of article V of the state constitution of 1963. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of governor or lieutenant governor for a period of 20 years after the conviction. MCL 168.51.



## ***Lieutenant Governor***

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective state party conventions.

Candidates without party affiliation for this office are nominated by the candidate without party affiliation who filed qualifying petitions for the office of governor. MCL 168.590d.

### ***Eligibility Requirements***

Sec. 22. To be eligible for the office of governor or lieutenant governor a person must have attained the age of 30 years, and have been a registered elector in this state for four years next preceding his election. Const. 1963, art. 5, sec. 22.

Sec. 51. A person shall not be eligible to the office of governor or lieutenant governor unless the person has attained the age of 30 years and has been a registered and qualified elector in this state for 4 years next preceding his or her election, as provided in section 22 of article V of the state constitution of 1963. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of governor or lieutenant governor for a period of 20 years after the conviction. MCL 168.51.



## ***United States Senator***

Candidates of the Democratic, Republican, and other political parties eligible to nominate candidates at a primary are nominated at the August primary election held in even-numbered years.

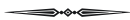
To qualify for a position on the August primary ballot, the candidates of these parties are required to file partisan nominating petitions, signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the nominating petitions must be signed by at least 100 registered and qualified electors in each of at least 1/2 of the congressional districts of the state. MCL 168.93.

Political parties that qualify for a position on the November general election ballot, but are not eligible to nominate candidates at the August primary, nominate candidates at their respective state party conventions. MCL 168.532.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the general election ballot. The qualifying petitions must be signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts of the state. Only signatures which are obtained within 180 days before the date of filing the qualifying petitions are valid. MCL 168.590b.

### ***Eligibility Requirements***

Sec. 91. A person shall not be a United States senator unless the person has attained the age of 30 years and has been a citizen of the United States for 9 years, and is, when elected, an inhabitant of that state for which he or she shall be chosen as provided in section 3 of article 1 of the United States constitution. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of United States senator for a period of 20 years after conviction. MCL 168.91.



## ***Secretary of State; Attorney General; Members of the State Board of Education; Regents of the University of Michigan; Trustees of Michigan State University; Governors of Wayne State University***

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective state party conventions.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the November general election ballot. The qualifying petitions must be signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts in this state. Only signatures which are obtained within 180 days immediately before the date of filing the qualifying petitions are valid. MCL 168.590b.

### ***Eligibility Requirements***

Sec. 71. (1) A person shall not be eligible to the offices of secretary of state or attorney general if the person is not a registered and qualified elector of this state by the date the person is nominated for the office.

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to the offices of secretary of state or attorney general for a period of 20 years after conviction. MCL 168.71.

(Note: Candidates for the office of attorney general must be licensed to practice law in this state.)

Sec. 281. (1) A person shall not be eligible to membership on the state board of education, the board of regents of the university of Michigan, the board of trustees of Michigan state university, or the board of governors of Wayne state university if the person is not a registered and qualified elector of this state on the date the person is nominated for the office. [See PA 218 of 1999.]

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to membership on any of the boards enumerated in this section for a period of 20 years after conviction. MCL 168.281.

## ***U.S. Representative; State Senator; State Representative***

Candidates of the Democratic, Republican, and other political parties eligible to nominate candidates at a primary are nominated at the August primary election held in even-numbered years.

To qualify for a position on the August primary ballot, the candidates of these parties file partisan nominating petitions signed by a number of registered and qualified electors residing in the district as determined under MCL 168.544f. Congressional candidates must file nominating petitions. State senate and state representative candidates may file a \$100.00 filing fee in lieu of nominating petitions. MCL 168.133, 168.163.

Political parties that qualify for a position on the November general election ballot, but are not eligible to nominate candidates at the August primary, may nominate candidates for these offices at their respective county caucuses and/or state conventions. MCL 168.686a.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the November general election ballot. The qualifying petition must be signed by a number of registered and qualified electors residing in the district as determined under MCL 168.544f. Only signatures which are obtained within 180 days immediately before the date of filing the qualifying petitions are valid. MCL 168.590b.

### ***Eligibility Requirements***

Sec. 7. Each senator and representative must be a citizen of the United States, at least 21 years of age, and an elector of the district he represents. The removal of his domicile from the district shall be deemed a vacation of the office. No person who has been convicted of subversion or who has within the preceding 20 years been convicted of a felony involving a breach of public trust shall be eligible for either house of the legislature. Const. 1963, art. 4, sec. 7.

Sec. 8. No person holding any office, employment or position under the United States or this state or a political subdivision thereof, except notaries public and members of the armed forces reserve, may be a member of either house of the legislature. Const. 1963, art. 4, sec. 8.

Sec. 131. A person shall not be a representative unless the person has attained the age of 25 years and been a citizen of the United States for 7 years, and is, when elected, an inhabitant of that state in which he or she shall be chosen, as provided in section 2 of article 1 of the United States constitution. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of representative in congress for a period of 20 years after conviction. MCL 168.131.

Sec. 161. (1) A person shall not be eligible to the office of state senator or representative unless the person is a citizen of the United States and a registered and qualified elector of the district he or she represents by the filing deadline, as provided in section 7 of article IV of the state constitution of 1963.

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible to the office of state senator or representative for a period of 20 years after conviction. MCL 168.161.



## ***Justice of Supreme Court***

Incumbent justices of the supreme court who are seeking reelection may file an affidavit of candidacy to qualify for a position on the November general election ballot. MCL 168.392a.

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective state party conventions. MCL 168.392.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the November general election ballot. The qualifying petitions must be signed by a number of registered and qualified electors residing in this state, as determined under MCL 168.544f. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts. Only signatures which are obtained within 180 days immediately before the date of filing the qualifying petitions are valid. MCL 168.590b.

### ***Eligibility Requirements***

Sec. 19. (1) The supreme court, the court of appeals, the circuit court, the probate court and other courts designated as such by the legislature shall be courts of record and each shall have a

common seal. Justices and judges of courts of record must be persons who are licensed to practice law in this state.

(2) To be qualified to serve as a judge of a trial court, a judge of the court of appeals, or a justice of the supreme court, a person shall have been admitted to the practice of law for at least 5 years. This subsection shall not apply to any judge or justice appointed or elected to judicial office prior to the date on which this subsection becomes part of the constitution.

(3) No person shall be elected or appointed to a judicial office after reaching the age of 70 years. Const. 1963, art. 6, sec. 19.

Sec. 391. (1) A person shall not be eligible to the office of justice of the supreme court unless the person is a registered and qualified elector of this state by the filing deadline or the date the person files the affidavit of candidacy, is licensed to practice law in this state, and at the time of election or appointment is less than 70 years of age.

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for election or appointment to the office of justice of the supreme court for a period of 20 years after conviction. MCL 168.391.



### ***Judge of Court of Appeals; Judge of Circuit Court; Judge of District Court***

Incumbent judges seeking reelection may file an affidavit of candidacy to qualify for a position on the August primary ballot.

Other candidates for these offices are required to file nonpartisan nominating petitions. Candidates for judge of the court of appeals and district courts are required to file nonpartisan nominating petitions signed by registered and qualified electors residing in the judicial district as determined under MCL 168.544f. MCL 168.409b, 168.467b.

Candidates for judge of the circuit court are required to file nonpartisan nominating petitions signed by a number of qualified and registered electors residing in the judicial circuit as determined under MCL 168.544f. MCL 168.413.

#### ***Eligibility Requirements***

Sec. 19. (1) The supreme court, the court of appeals, the circuit court, the probate court and other courts designated as such by the legislature shall be courts of record and each shall have a common seal. Justices and judges of courts of record must be persons who are licensed to practice law in this state.

(2) To be qualified to serve as a judge of a trial court, a judge of the court of appeals, or a justice of the supreme court, a person shall have been admitted to the practice of law for at least 5 years. This subsection shall not apply to any judge or justice appointed or elected to judicial office prior to the date on which this subsection becomes part of the constitution.

(3) No person shall be elected or appointed to a judicial office after reaching the age of 70 years. Const. 1963, art. 6, sec. 19.

Sec. 409. (1) A person shall not be eligible for the office of judge of the court of appeals unless the person is a registered and qualified elector of the appellate court district in which election is sought by the filing deadline or the date the person files the affidavit of candidacy, is licensed to practice law in this state, and, at the time of election or appointment, is less than 70 years of age.

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for election or appointment to the office of judge of the court of appeals for a period of 20 years after conviction. MCL 168.409.

Sec. 411. (1) A person shall not be eligible to the office of judge of the circuit court unless the person is a registered and qualified elector of the judicial circuit in which election is sought by the filing deadline or the date the person files the affidavit of candidacy, as provided in section 11 of article VI of the state constitution of 1963, is licensed to practice law in this state, and, at the time of election, is less than 70 years of age.

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for election or appointment to the office of judge of the circuit court for a period of 20 years after conviction. MCL 168.411.

Sec. 467. (1) A person shall not be eligible for the office of judge of the district court unless the person is a registered and qualified elector of the judicial district and election division in which election is sought by the filing deadline or the date the person files the affidavit of candidacy, is licensed to practice law in this state, and, at the time of election or appointment, is less than 70 years of age.

(2) A person who has been convicted of a violation of section 12a(1) of 1941 PA 370, MCL 38.412a, shall not be eligible for election or appointment to the office of judge of the district court for a period of 20 years after conviction. MCL 168.467.

Sec. 8201. A candidate for and a judge of the district court shall be licensed to practice law in this state and shall be a registered elector of the district and election division in which he seeks and holds office. Except in any district or election division in which there is a vacancy and in which a registered elector qualified to practice law in this state has not filed nominating petitions by the filing deadline for the primary election, a registered elector of an adjoining district or election division within the district who is qualified to practice law in this state shall be eligible for the office of district judge by filing nominating petitions signed by the required number of qualified electors of the district or election division in which he seeks election within 5 days after such deadline. MCL 600.8201.



### ***Signatures Necessary for Nominating Petitions***

Sec. 544f of the Election Code provides:

Sec. 544f. The number of signatures of qualified and registered electors necessary for nominating petitions under this act, based upon the population of the district involved according to the most recent federal census, is as follows:

Population	Partisan Petition		Non Partisan Petition		Qualifying Petition	
	Min	Max	Min	Max	Min	Max
0 - 9,999	3	10	6	20	9	30
10,000 - 24,999	20	50	40	100	60	150
25,000 - 49,999	50	100	100	200	150	300
50,000 - 74,999	100	200	200	400	300	600
75,000 - 99,999	200	400	400	800	600	1,200
100,000 - 199,999	300	500	600	1,000	900	1,500
200,000 - 499,999	500	1,000	1,000	2,000	1,500	3,000
500,000 - 999,999	1,000	2,000	2,000	4,000	3,000	6,000
1,000,000 - 1,999,999	2,000	4,000	4,000	8,000	6,000	12,000
2,000,000 - 4,999,999	4,000	8,000	6,200	12,000	12,000	24,000
Over 5 million (statewide)	15,000	30,000	30,000	60,000	30,000	60,000