

REPRINT
SUBSTITUTE FOR
HOUSE BILL NO. 5061

(As passed the House, November 9, 1999)

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 471, 472a, 474a, 475, 476, 477, 544c, and
961 (MCL 168.471, 168.472a, 168.474a, 168.475, 168.476, 168.477,
168.544c, and 168.961), section 544c as amended by 1993 PA 137
and section 961 as amended by 1982 PA 456, and by adding sections
9a and 473b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9A. AS USED IN THIS ACT, "QUALIFIED VOTER FILE" MEANS
2 THAT TERM AS DEFINED IN SECTION 509M.

3 Sec. 471. Petitions ~~of qualified and registered electors~~
4 UNDER SECTION 2 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963
5 proposing an amendment to the constitution shall be filed with
6 the secretary of state at least 120 days before the election at
7 which ~~such~~ THE proposed amendment is to be voted upon.

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House Bill No. 5061 as amended December 7, 1999

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1 INITIATIVE PETITIONS UNDER SECTION 9 OF ARTICLE II OF THE STATE
2 CONSTITUTION OF 1963 SHALL BE FILED WITH THE SECRETARY OF STATE
3 AT LEAST 160 DAYS BEFORE THE ELECTION AT WHICH THE PROPOSED LAW
4 IS TO BE VOTED UPON. REFERENDUM PETITIONS UNDER SECTION 9 OF
ARTICLE II OF THE STATE CONSTITUTION OF 1963 SHALL BE FILED WITH THE
SECRETARY OF STATE NOT MORE THAN 90 DAYS FOLLOWING THE FINAL
ADJOURNMENT OF THE LEGISLATIVE SESSION AT WHICH THE LAW THAT IS THE
SUBJECT OF THE REFERENDUM WAS ENACTED.

5 Sec. 472a. It shall be rebuttably presumed that the signa-
6 ture on a petition ~~which~~ THAT proposes an amendment to the con-
7 stitution or is to initiate legislation, is stale and void if
8 ~~it~~ THE SIGNATURE was made more than 180 days before the peti-
9 tion was filed with the office of the secretary of state.

10 SEC. 473B. SIGNATURES ON A PETITION TO PROPOSE AN AMENDMENT
11 TO THE STATE CONSTITUTION OF 1963 OR A PETITION TO INITIATE LEG-
12 ISLATION COLLECTED PRIOR TO A NOVEMBER GENERAL ELECTION AT WHICH
13 A GOVERNOR IS ELECTED SHALL NOT BE FILED AFTER THE DATE OF THAT
14 NOVEMBER GENERAL ELECTION.

15 Sec. 474a. (1) The board of state canvassers shall assign a
16 ~~letter~~ NUMBER designation to appear on the ballot for each
17 question to be submitted on a statewide basis. The designation
18 shall be assigned not less than 60 days before the election. If
19 the question is to appear on a general election ballot the desig-
20 nation shall not be assigned earlier than the primary election
21 preceding that general election.

22 (2) THE NUMBER DESIGNATION UNDER SUBSECTION (1) SHALL CON-
23 SIST OF 3 OR 4 DIGITS. THE FIRST 2 DIGITS SHALL BE THE LAST 2
24 DIGITS OF THE YEAR OF THE ELECTION. THE NEXT DIGIT OR, IF NECES-
25 SARY, 2 DIGITS SHALL INDICATE THE CHRONOLOGICAL ORDER IN WHICH
26 THE QUESTION WAS FILED TO APPEAR ON THE BALLOT. FOR THE PURPOSES

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1 OF THIS SUBSECTION, A QUESTION SHALL BE CONSIDERED TO BE FILED TO
2 APPEAR ON THE BALLOT AS FOLLOWS:

3 (A) A GENERAL REVISION OF THE CONSTITUTION UNDER SECTION 3
4 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963 SHALL BE CONSID-
5 ERED TO BE THE FIRST QUESTION FILED TO APPEAR ON THE BALLOT FOR
6 THOSE ELECTIONS AT WHICH A GENERAL REVISION OF THE CONSTITUTION
7 WILL APPEAR ON THE BALLOT.

8 (B) AN AMENDMENT TO THE CONSTITUTION PROPOSED UNDER SECTION
9 2 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963, LEGISLATION
10 INITIATED UNDER SECTION 9 OF ARTICLE II OF THE STATE CONSTITUTION
11 OF 1963, OR A REFERENDUM INVOKED UNDER SECTION 9 OF ARTICLE II OF
12 THE STATE CONSTITUTION OF 1963 SHALL BE CONSIDERED TO BE FILED TO
13 APPEAR ON THE BALLOT WHEN THE PETITION IS FILED WITH THE SECRE-
14 TARY OF STATE.

15 (C) AN AMENDMENT TO THE CONSTITUTION PROPOSED UNDER SECTION
16 1 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963 SHALL BE CON-
17 SIDERED TO BE FILED TO APPEAR ON THE BALLOT WHEN THE JOINT RESO-
18 LUTION PROPOSING THE AMENDMENT IS FILED WITH THE SECRETARY OF
19 STATE.

20 (D) A REFERENDUM UNDER SECTION 34 OF ARTICLE IV OF THE STATE
21 CONSTITUTION OF 1963 SHALL BE CONSIDERED TO BE FILED TO APPEAR ON
22 THE BALLOT WHEN THE LEGISLATION IS FILED WITH THE SECRETARY OF
23 STATE.

24 Sec. 475. (1) Upon the filing of a petition under this
25 chapter, the secretary of state shall immediately notify the
26 board of state canvassers of the filing of the petition. The
27 notification shall be by first-class mail.

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1 (2) AFTER THE DAY ON WHICH A PETITION UNDER THIS CHAPTER IS
2 FILED, THE SECRETARY OF STATE SHALL NOT ACCEPT FURTHER FILINGS OF
3 THAT PETITION TO SUPPLEMENT THE ORIGINAL FILING.

4 Sec. 476. (1) Upon ~~receipt of said~~ RECEIVING NOTIFICATION
5 OF THE FILING OF THE petitions, ~~said board~~ THE BOARD OF STATE
6 CANVASSERS shall canvass the ~~same~~ PETITIONS to ascertain if
7 ~~such~~ THE petitions have been signed by the requisite number of
8 qualified and registered electors. ~~, and for the purpose of~~
9 ~~determining the validity thereof,~~ THE QUALIFIED VOTER FILE MAY
10 BE USED TO DETERMINE THE VALIDITY OF PETITION SIGNATURES BY VERI-
11 FYING THE REGISTRATION OF SIGNERS. IF THE QUALIFIED VOTER FILE
12 INDICATES THAT, ON THE DATE THE ELECTOR SIGNED THE PETITION, THE
13 ELECTOR WAS NOT REGISTERED TO VOTE, THERE IS A REBUTTABLE PRE-
14 SUMPTION THAT THE SIGNATURE IS INVALID. IF THE QUALIFIED VOTER
15 FILE INDICATES THAT, ON THE DATE THE ELECTOR SIGNED THE PETITION,
16 THE ELECTOR WAS NOT REGISTERED TO VOTE IN THE CITY OR TOWNSHIP
17 DESIGNATED ON THE PETITION, THERE IS A REBUTTABLE PRESUMPTION
18 THAT THE SIGNATURE IS INVALID. THE BOARD may cause any doubtful
19 signatures to be checked against the registration records by the
20 clerk of any political subdivision in which ~~said~~ THE petitions
21 were circulated, ~~for properly determining~~ TO DETERMINE the
22 authenticity of ~~such~~ THE signatures OR TO VERIFY THE
23 REGISTRATIONS. ~~It shall be the duty of~~ UPON REQUEST, the clerk
24 of any political subdivision ~~to~~ SHALL cooperate fully with
25 ~~said~~ THE board ~~in any request made to said clerks by said~~
26 ~~board~~ in determining the validity of doubtful signatures by
27 rechecking the ~~same~~ SIGNATURE against registration records ~~,~~

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1 ~~and said clerk shall make the requested rechecks~~ in an
2 expeditious and proper manner. ~~Said~~

3 (2) THE board OF STATE CANVASSERS may hold hearings upon any
4 complaints filed or for any purpose ~~deemed~~ CONSIDERED necessary
5 by ~~said~~ THE board to conduct investigations of ~~said~~ THE
6 petitions. ~~, and to conduct said hearings said board shall have~~
7 ~~the power to~~ TO CONDUCT A HEARING, THE BOARD MAY issue subpoenas
8 and ~~to~~ administer oaths. ~~Said~~ THE board may also adjourn
9 from time to time awaiting receipt of returns from investigations
10 that are being made or for other necessary purposes, but shall
11 complete ~~said~~ THE canvass at least 2 months ~~prior to~~ BEFORE
12 the election at which ~~such proposals are~~ THE PROPOSAL IS to be
13 submitted.

14 (3) AT LEAST 2 BUSINESS DAYS BEFORE THE BOARD OF STATE CAN-
15 VASSERS MEETS TO MAKE A FINAL DETERMINATION ON CHALLENGES TO AND
16 SUFFICIENCY OF A PETITION, THE BUREAU OF ELECTIONS SHALL MAKE
17 PUBLIC ITS STAFF REPORT CONCERNING DISPOSITION OF CHALLENGES
18 FILED AGAINST THE PETITION. BEGINNING WITH THE RECEIPT OF ANY
19 DOCUMENT FROM LOCAL ELECTION OFFICIALS PURSUANT TO SUBSECTION
20 (1), THE BOARD OF STATE CANVASSERS SHALL MAKE THAT DOCUMENT
21 AVAILABLE TO PETITIONERS AND CHALLENGERS ON A DAILY BASIS.

22 Sec. 477. (1) ~~An~~ THE BOARD OF STATE CANVASSERS SHALL MAKE
23 AN official declaration of the sufficiency or insufficiency of
24 ~~any such petition shall be made by the said board~~ A PETITION
25 UNDER THIS CHAPTER at least 2 months ~~prior to~~ BEFORE the elec-
26 tion at which ~~such proposals are~~ THE PROPOSAL IS to be
27 submitted. ~~In case it shall be declared that such~~ IF THE BOARD

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1 OF STATE CANVASSERS DECLARES THAT THE petition is sufficient, the
2 secretary of state shall send copies of the statement of purpose
3 of ~~such~~ THE proposal as approved by the board ~~referred to in~~
4 OF STATE CANVASSERS UNDER section 474 ~~of this chapter~~ to the
5 several daily and weekly newspapers published in ~~the state of~~
6 Michigan THIS STATE, with the request that ~~said papers~~ THE
7 NEWSPAPERS give as wide publicity as possible to ~~said~~ THE pro-
8 posed amendment or other question. Publication of any matter by
9 any ~~paper under the provisions of~~ NEWSPAPER UNDER this section
10 shall be without expense or cost to the state of Michigan.

11 (2) FOR THE PURPOSES OF THE SECOND PARAGRAPH OF SECTION 9 OF
12 ARTICLE II OF THE STATE CONSTITUTION OF 1963, A LAW THAT IS THE
13 SUBJECT OF THE REFERENDUM CONTINUES TO BE EFFECTIVE UNTIL THE
REFERENDUM IS PROPERLY INVOKED, WHICH OCCURS WHEN THE BOARD OF STATE
14 CANVASSERS MAKES ITS OFFICIAL DECLARATION OF THE SUFFICIENCY OF THE REFERENDUM PETITION. THE BOARD OF STATE
15 CANVASSERS SHALL COMPLETE THE CANVASS OF A REFERENDUM PETITION
16 WITHIN 60 DAYS AFTER THE PETITION IS FILED WITH THE SECRETARY OF
17 STATE, EXCEPT THAT 1 15-DAY EXTENSION MAY BE GRANTED BY THE SEC-
18 RETARY OF STATE IF NECESSARY TO COMPLETE THE CANVASS.

19 Sec. 544c. (1) A nominating petition shall be 8-1/2 inches
20 by 14 inches in size. On a nominating petition, the words
21 "nominating petition" shall be printed in 24-point boldface
22 type. "We, the undersigned," et cetera shall be printed in
23 8-point type. "Warning" and language in the warning shall be
24 printed in 12-point boldface type. The balance of the petition
25 shall be printed in 8-point type. The name, address, and party
26 affiliation of the candidate and the office for which petitions

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1 are signed shall be printed in type not larger than 24-point.

2 The petition shall be in the following form:

3

NOMINATING PETITION

4

(PARTISAN)

5

We, the undersigned, registered and qualified voters of

6

the city or township of, in the county of

7

(strike 1)

8

..... and state of Michigan, nominate,

9

..... ,

10

(Name of Candidate)

11

..... ,

12

(Street Address or Rural Route)

(Post Office)

13

as a candidate of the party for the office of

14

..... ,

15

(District, if any)

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1 to be voted for at the primary election to be held on the

2 day of , 19... .

3 WARNING

4 A person who knowingly signs more petitions for the same
5 office than there are persons to be elected to the office or
6 signs a name other than his or her own is violating the provi-
7 sions of the Michigan election law.

8 _____

9	Printed	Street Address			
10	Name and	or	Post Office	Date of Signing	
11	Signature	Rural Route		Mo.	Day Year

12 _____

13 1. _____

14 2. _____

15 3. _____

16 4. _____

17 numbered lines as above

18 CERTIFICATE OF CIRCULATOR

19 The undersigned circulator of the above petition asserts
20 that he or she is qualified to circulate this petition and that

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1 each signature on the petition was signed in his or her presence;
2 and that, to his or her best knowledge and belief, each signature
3 is the genuine signature of the person purporting to sign the
4 petition, the person signing the petition was at the time of
5 signing a qualified registered elector of the city or township
6 listed in the heading of the petition, and the elector was quali-
7 fied to sign the petition.

8 Circulator--Do not sign or date certificate until after cir-
9 culating petition.

10

11

(Printed Name and Signature of Circulator) (Date)

12

13

(City or Township Where Registered)

14

[OR, FOR PETITIONS UNDER SECTION 482,

15

"(CITY OR TOWNSHIP WHERE QUALIFIED TO BE REGISTERED)"]

16

17

Complete RESIDENCE Address (Street and Number or Rural
18 Route)

19

20

(Post Office)

21

22

Warning-A circulator knowingly making a false statement in
the above certificate, a person not a circulator who signs as a

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1 circulator, or a person who signs a name other than his or her
2 own as circulator is guilty of a misdemeanor.

3 (2) The petition shall be in a form providing a space for
4 the circulator and each elector who signs the petition to print
5 his or her name. The secretary of state shall prescribe the
6 location of the space for the printed name. The failure of the
7 circulator or an elector who signs the petition to print his or
8 her name or to print his or her name in the location prescribed
9 by the secretary of state does not affect the validity of the
10 signature of the circulator or the elector who signs the
11 petition. A printed name located in the space prescribed for
12 printed names does not constitute the signature of the circulator
13 or elector.

14 (3) At the time of circulation, the circulator of a petition
15 shall be a registered elector of this state. At the time of exe-
16 cuting the certificate of circulator, the circulator shall be
17 registered in the city or township indicated in the certificate
18 of circulator on the petition. HOWEVER, THE CIRCULATOR OF A
19 PETITION UNDER SECTION 482 NEED ONLY BE QUALIFIED TO BE A REGIS-
20 TERED ELECTOR OF THIS STATE AT THE TIME OF CIRCULATION AND AT THE
21 TIME OF EXECUTING THE CERTIFICATE OF CIRCULATOR.

22 (4) The circulator of a petition shall sign and date the
23 certificate of circulator before the petition is filed. A circu-
24 lator shall not obtain electors' signatures after the circulator
25 has signed and dated the certificate of circulator. A filing
26 official shall not count electors' signatures that were obtained
27 after the date the circulator signed the certificate or that are

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1 contained in a petition that the circulator did not sign and
2 date.

3 (5) Except as provided in section 544d, a petition sheet
4 shall not be circulated in more than 1 city or township and each
5 signer of a petition sheet shall be a registered elector of the
6 city or township indicated in the heading of the petition sheet.
7 The invalidity of 1 or more signatures on a petition does not
8 affect the validity of the remainder of the signatures on the
9 petition.

10 (6) ~~A person~~ AN INDIVIDUAL shall not sign more nominating
11 petitions for the same office than there are persons to be
12 elected to the office. AN INDIVIDUAL WHO VIOLATES THIS SUBSEC-
13 TION IS GUILTY OF A MISDEMEANOR.

14 (7) ~~A person who signs~~ AN INDIVIDUAL SHALL NOT DO ANY OF
15 THE FOLLOWING:

16 (A) SIGN a petition with a name other than his or her own.
17 ~~is guilty of a misdemeanor.~~

18 ~~(8) A person who knowingly makes~~

19 (B) MAKE a false statement in a certificate on a petition.
20 ~~, a person~~

21 (C) IF not a circulator, ~~who signs~~ SIGN A PETITION as a
22 circulator. ~~, or a person who signs~~

23 (D) SIGN a name as circulator other than his or her own. ~~is~~
24 ~~guilty of a misdemeanor.~~

25 (8) AN INDIVIDUAL WHO VIOLATES SUBSECTION (7) IS GUILTY OF A
26 MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR
27 IMPRISONMENT FOR NOT MORE THAN 93 DAYS, OR BOTH.

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1 (9) IF AFTER A CANVASS AND A HEARING ON A PETITION UNDER
2 SECTION 476 OR 552 THE BOARD OF STATE CANVASSERS DETERMINES THAT
3 AN INDIVIDUAL HAS KNOWINGLY AND INTENTIONALLY FAILED TO COMPLY
4 WITH SUBSECTION (7), THE BOARD OF STATE CANVASSERS MAY IMPOSE 1
5 OR MORE OF THE FOLLOWING SANCTIONS:

6 (A) DISQUALIFY ANY OBVIOUSLY FRAUDULENT SIGNATURES ON A
7 PETITION FORM ON WHICH THE VIOLATION OF SUBSECTION (7) OCCURRED,
8 WITHOUT CHECKING THE SIGNATURES AGAINST LOCAL REGISTRATION
9 RECORDS.

10 (B) DISQUALIFY FROM THE BALLOT A CANDIDATE WHO COMMITTED,
11 AIDED OR ABETTED, OR KNOWINGLY ALLOWED THE VIOLATION OF SUBSEC-
12 TION (7) ON A PETITION TO NOMINATE THAT CANDIDATE.

13 (10) IF AN INDIVIDUAL VIOLATES SUBSECTION (7) AND THE
14 AFFECTED PETITION SHEET IS FILED, EACH OF THE FOLLOWING WHO KNEW
15 OF THE VIOLATION OF SUBSECTION (7) BEFORE THE FILING OF THE
16 AFFECTED PETITION SHEET AND WHO FAILED TO REPORT THE VIOLATION TO
17 THE SECRETARY OF STATE, THE FILING OFFICIAL, IF DIFFERENT, THE
18 ATTORNEY GENERAL, A LAW ENFORCEMENT OFFICER, OR THE COUNTY PROSE-
19 CUTING ATTORNEY IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE
20 OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR NOT MORE THAN 1
21 YEAR, OR BOTH:

22 (A) THE CIRCULATOR OF THE PETITION, IF DIFFERENT THAN THE
23 INDIVIDUAL WHO VIOLATED SUBSECTION (7).

24 (B) IF THE PETITION IS A NOMINATING PETITION, THE CANDIDATE
25 WHOSE NOMINATION IS SOUGHT.

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1 (C) IF THE PETITION IS A PETITION FOR A BALLOT QUESTION OR
2 RECALL, THE ORGANIZATION OR OTHER PERSON SPONSORING THE PETITION
3 DRIVE.

4 (11) IF AFTER A CANVASS AND A HEARING ON A PETITION UNDER
5 SECTION 476 OR 552 THE BOARD OF STATE CANVASSERS DETERMINES THAT
6 AN INDIVIDUAL HAS VIOLATED SUBSECTION (10), THE BOARD OF STATE
7 CANVASSERS MAY IMPOSE 1 OR MORE OF THE FOLLOWING SANCTIONS:

8 (A) IMPOSE ON THE ORGANIZATION OR OTHER PERSON SPONSORING
9 THE PETITION DRIVE AN ADMINISTRATIVE FINE OF NOT MORE THAN
10 \$5,000.00.

11 (B) CHARGE THE ORGANIZATION OR OTHER PERSON SPONSORING THE
12 PETITION DRIVE FOR THE COSTS OF CANVASSING ANY PETITION FORM ON
13 WHICH A VIOLATION OF SUBSECTION (7) OCCURRED.

14 (C) DISQUALIFY AN ORGANIZATION OR OTHER PERSON DESCRIBED IN
15 SUBDIVISION (A) FROM COLLECTING SIGNATURES ON A PETITION FOR A
16 PERIOD OF NOT MORE THAN 4 YEARS.

17 (D) DISQUALIFY ANY OBVIOUSLY FRAUDULENT SIGNATURES ON A
18 PETITION FORM ON WHICH A VIOLATION OF SUBSECTION (7) OCCURRED
19 WITHOUT CHECKING THE SIGNATURES AGAINST LOCAL REGISTRATION
20 RECORDS.

21 (E) DISQUALIFY FROM THE BALLOT A CANDIDATE WHO COMMITTED,
22 AIDED OR ABETTED, OR KNOWINGLY ALLOWED A VIOLATION OF SUBSECTION
23 (7) ON A PETITION TO NOMINATE THAT CANDIDATE.

24 (12) IF AN INDIVIDUAL REFUSES TO COMPLY WITH A SUBPOENA OF
25 THE BOARD OF STATE CANVASSERS IN AN INVESTIGATION OF AN ALLEGED
26 VIOLATION OF SUBSECTION (7) OR (10), THE BOARD MAY HOLD THE

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1 CANVASS OF THE PETITIONS IN ABEYANCE UNTIL THE INDIVIDUAL
2 COMPLIES.

3 (13) ~~(9)~~ A person who aids or abets another in an act that
4 is prohibited by this section is guilty of ~~a misdemeanor~~ THAT
5 ACT.

6 (14) ~~(10)~~ The provisions of this section except as other-
7 wise expressly provided apply to all petitions circulated under
8 authority of the election law.

9 Sec. 961. (1) A recall petition shall be filed with the
10 filing officer provided in section 959 or 960. The filing offi-
11 cial shall give a receipt showing the date of filing, the number
12 of petition sheets filed, and the number of signatures claimed by
13 the filer. This shall constitute the total filing, and addi-
14 tional petition sheets for this filing shall not be accepted by
15 the filing official. ~~The~~

16 (2) WITHIN 7 DAYS AFTER A RECALL PETITION IS FILED, THE
17 filing official with whom ~~a recall petition is filed, within 7~~
18 ~~days~~ THE PETITION WAS FILED shall examine the recall petition.
19 The filing official shall determine if the recall petition is in
20 proper form and shall determine the number of signatures of the
21 petition. In determining the number of signatures, the filing
22 official shall not count signatures on a petition sheet ~~where~~
23 ~~the~~ IF 1 OR MORE OF THE FOLLOWING APPLY:

24 (A) THE execution of the certificate of circulator is not in
25 compliance with this act. ~~, where the~~

26 (B) THE heading of the petition sheet is improperly
27 completed. ~~, where the~~

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1 (C) THE reasons for recall are different than those
2 determined by the board of county election commissioners to be of
3 sufficient clarity to enable the officer whose recall is sought
4 and the electors to identify the course of conduct which is the
5 basis for this recall. ~~, or where the~~

6 (D) THE signature was obtained before the date of determina-
7 tion by the board of county election commissioners or more than
8 90 days before the filing of the petition.

9 (3) If the filing official determines that the form of the
10 petition is improper or that the number of signatures is less
11 than the minimum number required in section 955, the filing offi-
12 cial shall proceed as provided in section 963(1).

13 (4) If the filing official determines that the number of
14 signatures is in excess of the minimum number required in section
15 955, the filing official SHALL DETERMINE THE VALIDITY OF THE SIG-
16 NATURES BY VERIFYING THE REGISTRATION OF SIGNERS PURSUANT TO SUB-
17 SECTION (6) OR shall forward each petition sheet to the clerk of
18 the city or township appearing on the head of the petition
19 sheet. However, the petition shall not be forwarded to the sec-
20 retary of a school district. ~~The~~

21 (5) SUBJECT TO SUBSECTION (6), THE city or township clerk
22 shall compare the names on the petition with the city or township
23 registration records. The clerk may compare with the signatures
24 on the original registration record or with the name or address
25 on registration lists on file in the clerk's office. Within 15
26 days after receipt of the petition, the city or township clerk
27 shall attach to the petition a certificate indicating the number

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1 of signers on each petition sheet that are registered electors in
2 the city or township and in the governmental unit for which the
3 recall is sought. The certificate shall be on a form approved by
4 the secretary of state and may be a part of the petition sheet.
5 If the recall petition is for the recall of a village official,
6 the county clerk shall forward the petition to the clerk of the
7 village, and the duties and responsibilities of the city or town-
8 ship clerk as set forth in this section shall be performed by the
9 village clerk.

10 (6) THE QUALIFIED VOTER FILE MAY BE USED TO DETERMINE THE
11 VALIDITY OF PETITION SIGNATURES BY VERIFYING THE REGISTRATION OF
12 SIGNERS. IF THE QUALIFIED VOTER FILE INDICATES THAT, ON THE DATE
13 THE ELECTOR SIGNED THE PETITION, THE ELECTOR WAS NOT REGISTERED
14 TO VOTE, THERE IS A REBUTTABLE PRESUMPTION THAT THE SIGNATURE IS
15 INVALID. IF THE QUALIFIED VOTER FILE INDICATES THAT, ON THE DATE
16 THE ELECTOR SIGNED THE PETITION, THE ELECTOR WAS NOT REGISTERED
17 TO VOTE IN THE CITY OR TOWNSHIP DESIGNATED ON THE PETITION, THERE
18 IS A REBUTTABLE PRESUMPTION THAT THE SIGNATURE IS INVALID.