

HOUSE BILL No. 4892

August 16, 2017, Introduced by Rep. Chatfield and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 644f (MCL 168.644f), as amended by 2015 PA 43.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 644f. (1) Except as provided in this section and section
2 644e, nominating petitions for offices to be filled at the odd year
3 general election ~~shall~~ **MUST** be filed by 4 p.m. on the fifteenth
4 Tuesday before the odd year primary election. The place of filing
5 and the number of signatures ~~shall~~ **MUST** be the same as is now
6 required by law for those offices.

7 (2) If a nonpartisan petition requirement is not contained in
8 law or charter, the minimum number of signatures ~~shall be~~ **IS** the

1 amount as provided for in section 544f.

2 (3) If, upon the expiration of the time for filing nonpartisan
3 petitions, not more than twice the number of candidates as there
4 are persons to be elected to that office have filed, the primary
5 for that office ~~shall~~**MUST** not be held and those persons filing
6 valid petitions ~~shall be~~**ARE** declared the nominees for the offices,
7 unless a city charter provides otherwise for city offices.

8 (4) Until December 31, ~~2015,~~**2017**, the nominating petition
9 filing deadline for candidates for city offices may be adjusted as
10 provided in subsection (5) if all of the following occur:

11 (a) The city clerk publishes a nominating petition filing
12 deadline that is different than the fifteenth Tuesday before the
13 odd year primary election or the odd year general election and the
14 nominating petition filing deadline published by the city clerk is
15 between **AND INCLUDING** the fifteenth Tuesday and the ~~twelfth~~
16 **ELEVENTH** Tuesday before the odd year primary election or the odd
17 year general election.

18 (b) The city clerk did not publicly correct the filing
19 deadline error at least 2 weeks before the fifteenth Tuesday before
20 the odd year primary election or the odd year general election.

21 (c) One or more candidates for city offices in that city
22 relied upon the incorrect nominating petition filing deadline,
23 failed to file nominating petitions by the fifteenth Tuesday before
24 the odd year primary election or the odd year general election, and
25 filed nominating petitions by the filing deadline published by the
26 city clerk that are determined by the city clerk to contain a
27 sufficient number of valid signatures.

1 (5) If the bureau of elections confirms that all of the
2 conditions set forth in subsection (4) are met, the bureau of
3 elections may authorize the city clerk to adjust the nominating
4 petition filing deadline for that odd year primary election or that
5 odd year general election from the fifteenth Tuesday before the odd
6 year primary election or the odd year general election to the
7 incorrectly published nominating petition filing deadline.

8 (6) A city that ~~falls under~~ **IS SUBJECT TO** subsections (4) and
9 (5) **BEFORE DECEMBER 31, 2015** is subject to all of the following:

10 (a) Until December 31, 2017, the city clerk of that city shall
11 attend at least once annually an election training school conducted
12 by the director of elections as provided in section 33.

13 (b) Until December 31, 2017, the city clerk shall submit
14 nominating petitions to the secretary of state for final approval
15 as to form before being circulated for signatures and shall submit
16 any election filing deadline calendars and any correspondence
17 relating to those calendars to the secretary of state before being
18 provided to the public.

19 (c) The secretary of state shall conduct a postelection audit
20 after each November election held in the city in 2015, 2016, and
21 2017.

22 ~~— (d) The secretary of state shall conduct an administrative~~
23 ~~audit of the city clerk's elections operations and shall report the~~
24 ~~results of that administrative audit to the house and senate~~
25 ~~committees dealing with elections no later than October 1, 2015.~~

26 ~~— (e) Until December 31, 2015, the secretary of state shall~~
27 ~~conduct preelection precinct election inspector training for those~~

1 ~~acting as precinct election inspectors at any August or November~~
2 ~~election held in the city.~~

3 (D) ~~(f)~~ Notwithstanding section 683, beginning January 1, 2016
4 and until December 31, 2017, those acting as precinct election
5 inspectors at any August or November election held in the city
6 shall attend a preelection training school for election inspectors
7 conducted by the county clerk of the county in which the city is
8 located.

9 (7) A CITY THAT FIRST BECOMES SUBJECT TO SUBSECTIONS (4) AND
10 (5) BETWEEN JANUARY 1, 2017 AND DECEMBER 31, 2017 IS SUBJECT TO ALL
11 OF THE FOLLOWING:

12 (A) UNTIL DECEMBER 31, 2019, THE CITY CLERK OF THAT CITY SHALL
13 ATTEND AT LEAST ONCE ANNUALLY AN ELECTION TRAINING SCHOOL CONDUCTED
14 BY THE DIRECTOR OF ELECTIONS AS PROVIDED IN SECTION 33.

15 (B) UNTIL DECEMBER 31, 2019, THE CITY CLERK SHALL SUBMIT
16 NOMINATING PETITIONS TO THE SECRETARY OF STATE FOR FINAL APPROVAL
17 AS TO FORM BEFORE BEING CIRCULATED FOR SIGNATURES AND SHALL SUBMIT
18 ANY ELECTION FILING DEADLINE CALENDARS AND ANY CORRESPONDENCE
19 RELATING TO THOSE CALENDARS TO THE SECRETARY OF STATE BEFORE BEING
20 PROVIDED TO THE PUBLIC.

21 (C) THE SECRETARY OF STATE SHALL CONDUCT A POSTELECTION AUDIT
22 AFTER EACH NOVEMBER ELECTION HELD IN THE CITY IN 2017, 2018, AND
23 2019.

24 (D) THE SECRETARY OF STATE SHALL CONDUCT AN ADMINISTRATIVE
25 AUDIT OF THE CITY CLERK'S ELECTIONS OPERATIONS AND SHALL REPORT THE
26 RESULTS OF THAT ADMINISTRATIVE AUDIT TO THE HOUSE AND SENATE
27 COMMITTEES DEALING WITH ELECTIONS NO LATER THAN FEBRUARY 28, 2018.

1 (E) UNTIL AUGUST 31, 2018, THE SECRETARY OF STATE SHALL
2 CONDUCT PREELECTION PRECINCT ELECTION INSPECTOR TRAINING FOR THOSE
3 ACTING AS PRECINCT ELECTION INSPECTORS AT ANY AUGUST OR NOVEMBER
4 ELECTION HELD IN THE CITY.

5 (F) NOTWITHSTANDING SECTION 683, BEGINNING SEPTEMBER 1, 2018
6 AND UNTIL DECEMBER 31, 2019, THOSE ACTING AS PRECINCT ELECTION
7 INSPECTORS AT ANY AUGUST OR NOVEMBER ELECTION HELD IN THE CITY
8 SHALL ATTEND A PREELECTION TRAINING SCHOOL FOR ELECTION INSPECTORS
9 CONDUCTED BY THE COUNTY CLERK OF THE COUNTY IN WHICH THE CITY IS
10 LOCATED.

11 (8) FOR A CITY THAT FIRST BECOMES SUBJECT TO SUBSECTIONS (4)
12 AND (5) BETWEEN JANUARY 1, 2017 AND DECEMBER 31, 2017, THE BUREAU
13 OF ELECTIONS SHALL DIRECT THE CITY CLERK TO PLACE ALL ELIGIBLE
14 CANDIDATES WHO PROPERLY FILED SUFFICIENT NOMINATING PETITIONS BY
15 THE ELEVENTH TUESDAY BEFORE THE ODD YEAR PRIMARY ELECTION ON THE
16 ODD YEAR GENERAL ELECTION BALLOT.